

# FIRSTBEAT TECHNOLOGIES OY

## PRIVACY POLICY - FIRSTBEAT LIFE AND FIRSTBEAT LIFESTYLE ASSESSMENT

Description of personal data processing in the Firstbeat Lifestyle Assessment or Firstbeat Life service ("Service") produced by Firstbeat Technologies Oy. This document contains information about the personal data processing as required by the EU General Data Protection Regulation (GDPR).

### DATA CONTROLLER

Firstbeat Technologies Oy (business ID 1782772-5), address Yliopistonkatu 28 A, 40100 Jyväskylä, Finland ("Firstbeat" or "Controller").

### TERMS

"Customer" is a person or organization who is in a contractual relationship with Firstbeat for Firstbeat to produce the Service, using personal and measured information from the Subject(s), who are defined by the Customer. In a typical scenario the Customer is an employer, whose employees are Subjects.

"Subject" is the person, whose information is used by Firstbeat to produce the Service, using pulse measurement data and other personal information about the Subject.

"Firstbeat Life" is a Service launched in 2020, requiring Subjects to install a local mobile application, which stores some personal information locally on their mobile device, and where they keep the measurement device in their possession.

"Firstbeat Lifestyle Assessment" is a Service different from Firstbeat Life, where Subjects do not install any mobile application, do not have a personal login after the measurement and return the measurement device after each measurement for analysis.

### NOTES ABOUT THE CONTROLLER POSITION

For clarity:

1. This description of personal data processing does not apply in such cases when the Firstbeat Lifestyle Assessment Service is produced by a partner of Firstbeat (person, company or organization, here "Service Provider"), for its own customers or employees, and in such cases the Service Provider is the data controller in the sense of the personal data legislation. In these cases, the Service Provider has acquired user permission for the Service and independently produces services from information of subjects defined by the Service Provider or its customers. The Service Provider is e.g. responsible for creating required personal data related documentation, informing the data subjects, ensuring the personal data handling is legal and fulfilling the other responsibilities of the data controller.
2. Firstbeat Life Service is always produced by Firstbeat. A "Firstbeat Life Service Provider" is a Customer, who has purchased the Service for its own customers or employees, but Firstbeat is always the data controller for Firstbeat Life as described in this description.

### CONTACT PERSON FOR THE DATA CONTROLLER

The data Controller (Firstbeat) can be contacted by e-mail at support@firstbeat.com or by telephone at +358 (0)20 7631 660. The contact person for information security matters is Antti Hämäläinen.

## THE PURPOSE AND LEGAL BASIS OF PROCESSING THE PERSONAL DATA

The purpose of processing the personal data is the basic operation of the Service, including user support operations, collecting statistics regarding Service usage, and conducting scientific and market research.

The basic operation and purpose of the Service is to provide a personalized analysis on the effect of lifestyle factors on different aspects of well-being. The Subject's personal qualities and measured heartbeat analysis data are used to provide the Service. The Service may additionally include direct personal feedback to each individual Subject by a Firstbeat representative by telephone, or in person, which is possibly used to agree on action goals.

The Service typically includes an anonymized feedback report to the Customer by telephone, or in person, or through Customer's web interface, regarding the general well-being of a group of Subjects (typically employees) as a whole. The details of the Service are described, in detail, in the contract between the Customer and Firstbeat.

Personal data is also used for Service support operations, which typically include, for example, delivering user account information or the private web link to the Subject.

Personal data may be used to inform of Firstbeat services, such as sending a newsletter or other ways of maintaining the customer relationship. The personal data of the Subject may be used to market a personal follow-up analysis following the applicable personal data legislation.

If the applicable legislation requires the Subject consent for processing some of the personal data described in this document (for instance, concerning health related data i.e. so-called special categories of data), the consent will be acquired using an appropriate method. This may be done for example by checking a separate consent checkbox, making the choice in the technical settings of the Service or website, or by another specific action or statement to signify consent. Declining consent may impact the ability to offer the specific Service.

Log data of the Service use or handling measurement devices is additionally saved in order to protect the legitimate interests of the Customer, Firstbeat and the Subjects, for example in order to investigate possible security breaches or for example in order to be able to prove, that invoiced services have been delivered.

Personal data may be processed individually or together with Firstbeat's and its subsidiary companies' other personal data files. Firstbeat will keep an anonymized copy of data saved in the service for statistical and scientific research, such as for determining average reference values. Such statistical or scientific use of data is done using automated processes in such a way that data from an individual Subject cannot be identified during any stage of the process.

The legal justification for processing personal data is fulfilling the contract between the parties or the legitimate interest of Firstbeat, which is based on the relationship between the parties. The legal justification may also be the Subject consent, if the applicable legislation requires this.

#### THE PERSONAL DATA RETENTION PERIOD

Unless otherwise agreed, the personal data related to the measurement will be kept for 24 months after the last measurement to the Subject or the last time the Subject has logged in to the Firstbeat Life Service or otherwise used the Firstbeat Life Service, as reference for possible follow-up measurements which belong to the service concept, and subsequently erased. If the Subject has given a separate consent for a longer-term retention, the personal data may be kept longer accordingly.

Some personal data, which is not directly related to the measurement and not containing data related to heart rate or health, and which may be required to protect the legitimate interests of Customer, Firstbeat or Subjects and investigate any possible problems (such as for example general log information about the use of the service) are not erased together with other personal data.

Firstbeat may, following the legislation, transfer the contact information of the Subject, needed for marketing similar Firstbeat services, to the Firstbeat marketing data file. This data will be subject to Firstbeat's customer and marketing data privacy policy, which is available in our website, including its own data retention policy.

#### DESCRIPTION OF THE GROUP OF DATA SUBJECTS

The personal data from participating Subjects is processed in the Service. In a typical case, the Customer of Firstbeat is the organization represented by the Subjects, often an employer, and the Customer determines the group of Subjects.

#### REGULAR DATA SOURCES

The Customer provides Firstbeat the email address of each Subject or offers their Subjects a chance to provide their email address with a self-registration tool. Each Subject is then emailed a personal invitation to activate the Service.

The other personal data is provided by the Subjects themselves via the web interface or mobile application and through the use of measuring devices. A representative of Firstbeat may additionally gather information from the Subjects when providing the Service.

If separately agreed, data required in the Firstbeat Lifestyle Assessment may be collected in paper form from Subjects who do not have an email address.

Information will be also created analytically through Firstbeat's own activities.

#### THE TYPE OF PERSONAL DATA

The database contains the following information (partial or complete) about the Subjects:

- Full name (first and last)
- Date of birth, gender, height, weight

- Activity class, maximum and resting heart rate, maximal oxygen consumption
- Information about chronic diseases and medication provided by the Subject (not collected in Firstbeat Life)
- Heart rate and acceleration measurements and diary entries created by the Subject during the measurement period, e.g. alcohol consumption, current and recent illnesses and medications, self-documented events noteworthy of interest to the Subject.
- Contact information, e.g. address, email address and telephone number
- Information about the Customer, e.g. name, contact information and Subject's personnel group
- Information about the use of the service, including but not limited to user interface language choice, log data, audit trail, service statuses and service usage
- Information about the consents of processing data in the service
- The results report with defined target actions created for the Subject based on the data analysis
- Password, if using Firstbeat Life

The Subject may opt to use the Service anonymously with an unidentifiable username. The e-mail address will be always saved (except in special cases when no e-mail address exists) and if the Service includes personal feedback, the telephone number is also saved. Using Firstbeat Life always requires an e-mail address. In Firstbeat Life the Subject's initial e-mail address used for Service invitation is visible to the Customer, and, when managing Service purchase statuses, the Customer identifies the Subject by this address (which may or may not be the same as the account address chosen by the Subject).

## PRINCIPLES OF DATA PROTECTION

Firstbeat follows the best practices for managing data, including appropriate technical and organisational measures as required by the personal data legislation. Firstbeat protects the data so that only the authorized personnel defined by Firstbeat, who are bound by confidentiality agreement, have access to the file and only for purposes related to their work. These Firstbeat authorized personnel may be Firstbeat employees or subcontractors.

Firstbeat ensures that all data systems and computer equipment are sufficiently protected with appropriate technical methods, including access control to physical premises, firewalls, passwords, personal user IDs and personnel security training.

The data is kept in information systems produced and controlled by Firstbeat and the data is handled with Firstbeat designed user interfaces. The Internet connection from the Subject web interface to Firstbeat is protected with encryption (SSL). The personal link to the data entry form, which the Subject uses to enter personal data in Firstbeat Lifestyle Assessment, only works for a limited time and will expire soon after the measuring.

Any measuring devices, which may be transported by post, do not contain any personal data on their own and contain no location information. The data they contain is only connected to personal data using a device ID when saving the data after the transport or by transferring the data locally wirelessly to the Firstbeat Life mobile application.

If Firstbeat uses third parties (subcontractors) for technical maintenance of the data, Firstbeat fulfils the responsibilities required by the data protection legislation related to subcontractors. In all cases, the data is kept in information systems governed by Firstbeat or in the mobile device of the Firstbeat Life user, and neither Firstbeat nor its subcontractors will save information in any other systems.

## TRANSFER OF PERSONAL DATA

Personal data may not be transferred without the data Subject's consent outside Firstbeat or its subsidiary companies in a manner that the data could be identified, except in following exceptional circumstances: if required by any ruling of a governmental or regulatory authority, court, or by mandatory law; or if it is otherwise necessary for the purposes of preventing, or investigating, any breach of law, user terms or good practices or to protect the rights of Firstbeat or a third party.

Unless upon Subject's explicit, separate, consent, personal data of the Subjects will not be given to the Customer except information about not returning a loaned device in time, as this would require Customer to pay for the device. Additionally, for Subjects using Firstbeat Life, the following information limited to each Subject's subscription status may be transferred to the Customer for the purposes of making the most of the Service: initial e-mail address given by Customer or Subject for the invitation (but not the current address, if Subject has changed it), Subject's name and user interface language as identifiers; initial activation date when subscription period has started; how long ago that user has last actively used the Service; and possible other corresponding general information about the subscription status so that the Customer may choose to discontinue unused Service or advice Subjects to use the Service and for the purposes of preventing any misuse. (Note: if the Subject is a person who buys the Service for him/herself, the Subject is also a Customer and will naturally receive his/her own personal data.)

Other than this subscription management related information, the Customer only receives periodic average or summary information about their Subject group's wellbeing as a whole. The averages will not be provided if the number of Subjects measured or number of data updates since the previous information is so small, that individual data could be directly or indirectly recognized from the information or changes in the information, unless the Subjects in question have given their explicit consent for the transfer. In case of Firstbeat Life, the Customer will also receive information about which Subjects are actively using the Service (including how many months ago the Subject has used the Service),. If a Subject is using a loaned device which is not returned in time, which, then the Customer may also be given information which Subject has not returned the device.

If Firstbeat Life is provided to Subject by a Firstbeat Life Service Provider, the Subject may be required to consent to handing over some personal information to the Firstbeat Life Service Provider, in order to use the Service subscription. Details of the type of personal information and identity of Firstbeat Life Service Provider are visible to the Subject in Firstbeat Life mobile application (Subject's personal account) at the time of requesting their consent.

With the separate consent of the Subject, access to personal data may be given to a specified third party, such as a party providing health care to the Subject.

Personal data of the Subjects may be processed by authorized third parties, who process the data on behalf of Firstbeat for the purposes described in this document (for instance, service providers of technical infrastructure or services). Such service providers may use the personal data only according to the instructions from Firstbeat, i.e. only for the purpose for which the data has been collected, and furthermore according to agreement including legally required terms regarding processing of personal data. Firstbeat requires that the service providers operate according to the applicable legislation and this privacy policy, ensuring appropriate security for the personal data.

Personal data is primarily stored on Firstbeat servers located in the EU or the United Kingdom (UK) and will not be transferred to countries outside the EU, UK or the EEA, unless otherwise separately agreed. Data may be temporarily transferred outside the EU or the EEA if it is necessary for the technical implementation of the service or personal data processing, such as when sending service-related information to the Subject's email address, which is located on a foreign email server. The Subject may also use the Service with a device outside the EU or the EEA, and in such cases, the data is visible on that device while using the Service. When using Firstbeat Life, personal data is additionally stored locally on the mobile application of the Subject's mobile device.

## THE RIGHTS OF THE DATA SUBJECT

The data Subject has the rights according to the personal data legislation applicable in Finland, including the EU General Data Protection Regulation (GDPR), to inspect his/her personal information, change or request to change his/her information and under some circumstances, the right to request erasure of personal information. Therefore, the Subject has the right to request Firstbeat to correct inaccurate or incorrect personal information without unnecessary delay. The Subject has the right to request erasure of his/her information without unnecessary delay, for example when the personal data is no longer required for the original purposes, the personal data has been processed unlawfully, or the Subject withdraws consent to the processing and when there is no other legal ground for the processing.

The Subject has the right to request Firstbeat to limit the processing in certain situations, including when the Subject denies the information being accurate or the processing is illegal. Under some circumstances the Subject also has the right to object to the processing.

The Subject may, under some circumstances, have the right to request transferring the personal data from one system to another. Whenever the legal justification for processing the personal data is consent, the Subject also has the right to withdraw the consent at any time.

Firstbeat wishes that any disputes concerning the processing of personal data are primarily resolved in a conciliatory manner between the parties. The Subject has also the right to lodge a complaint to the authorities responsible for personal data protection.

Any requests to inspect, modify or erase the personal data shall be indicated to Firstbeat in person, or by a signed letter or similarly verified document, so that Firstbeat can confirm the requestor has the right to make such a request. The request can be made with

e-mail, if using the e-mail address registered when using the service, or using functionality in the Firstbeat Life application. Firstbeat may need to identify the Subject and ask for additional information in order to fulfil this kind of requests.

This description of the personal data processing has been updated **28.5.2021**. Firstbeat follows the changes in legislation and regulator instructions related to personal data processing and develops the service further and will therefore reserve the right to make changes to this description.