

ASSOC. PROF. DR. HASAN ERSÖZ CLINIC

INFORMATION / PRIVACY NOTICE ON THE PROCESSING OF PERSONAL DATA

This privacy notice has been prepared by the data controller to inform you about which of your personal data is processed, for what purpose, how and on what grounds it is processed, with whom it is shared and for how long it is retained. This notice is provided under Article 10 of the Turkish Personal Data Protection Law No. 6698.

In our practice activities at ASSOC. PROF. DR. HASAN ERSÖZ CLINIC, we give priority to privacy, which is a patient right. For this purpose, we apply the necessary procedures so that the personal data of persons connected with our practice and services – including patients who benefit from our healthcare / consultancy services, patient relatives and our employees – is processed and protected in accordance with the Constitution of the Republic of Türkiye, the international conventions on human rights to which Türkiye is a party, and the relevant legislation, notably the Personal Data Protection Law No. 6698 (“KVKK”).

Under KVKK and in our capacity as Data Controller, your personal data may be recorded, stored, updated, disclosed / transferred to third parties where legislation permits, classified, anonymised where necessary, de-identified where necessary, destroyed, and otherwise processed in the ways listed in KVKK, in a manner connected with and proportionate to our activities and service purposes.

With this Notice, we provide information, as “Data Controller”, on how the personal data obtained within the scope of the healthcare services we provide is processed (what types of personal data we collect, how we collect, use, protect and transfer it, how it will be deleted, etc.).

The information on the processing of your personal data by ASSOC. PROF. DR. HASAN ERSÖZ as data controller is below:

COLLECTION AND PROCESSING OF PERSONAL DATA

We collect various information before and/or during the healthcare services we provide from our patients and/or, where necessary, their legal representatives / guardians, from our employees, and from third parties connected with our practice within the scope of the services we provide. This information is in all cases collected in accordance with the data processing principles and conditions of KVKK No. 6698.

Among special categories of personal data, the health data of the persons concerned may be processed without seeking the explicit consent of the person concerned, only for the purposes of protection of public health, preventive medicine, medical diagnosis, treatment and care services, and planning and management of healthcare services and their financing, by persons under an obligation of confidentiality or by authorised institutions and organisations. In addition, all special categories of personal data, regardless of type, may by law be processed only if the adequate measures determined by the Personal Data Protection Board are taken.

The personal data you share with us within the scope of the services we provide at the outpatient clinic is obtained, recorded, stored, modified and reorganised by automatic or non-automatic means for the purposes of preventive medicine, medical diagnosis, treatment and care services and healthcare services provided by ASSOC. PROF. DR. HASAN ERSÖZ, through all channels, including the website, surveys and social media applications, and through verbal, written, visual or electronic means. Under KVKK, any operation performed on data is considered “processing of personal data”.

Pursuant to KVKK, we collect your personal data, by automatic or non-automatic means, verbally, in writing or electronically, through the channels listed below and any other channels that may be added in the future, and process it within the scope of KVKK Articles 5.1, 5.2, 6.2 and 6.3.

Correspondence conducted through our e-mail addresses, short messages or multimedia messages sent

to the data controller and data processor for other purposes, and all other means of communication will be processed, by automatic or non-automatic means, in written, verbal or electronic form via Google Drive and all other electronic software systems. The data processed is protected with anti-virus programs.

Personal data that you have made public through your website, social media or other channels will be processed verbally or electronically, by automatic or non-automatic means.

In addition, your personal data may be processed when you use our helpline or website for information, appointments, complaints or other purposes, and when you visit our practice or website and browse this site.

Furthermore, posts made on websites such as “Doktor Takvimi” and “Doktor Sitesi” are not among the persons to whom the Data Controller, ASSOC. PROF. DR. HASAN ERSÖZ, transfers or shares data. The data controller cannot be held liable for data breaches arising from registrations and applications made through these sites.

PERSONAL DATA WE COLLECT

The content varies depending on the healthcare services provided or to be provided to you, or on your legal relationship with our clinic (employee, consultant, etc.). Examples of personal data we collect for the purposes stated below are:

- **Identity information:** your name, surname, copy of identity document, passport or driving licence, national ID number, passport number or temporary national ID number, place and date of birth, marital status, gender, insurance or patient protocol number and other identity data that can identify you.
- **Contact information:** your address, telephone number, contact number of your parent/guardian or a relative you designate, e-mail address and other contact data, parent/guardian contact and address information, records of calls made through the helpline and personal data obtained when you contact us by e-mail.
- **Accounting information:** data such as your bank account number, IBAN, credit card information and invoicing information.
- Your private health insurance data and/or Social Security Institution data for the financing and planning of healthcare services.
- Your photographs before and after surgery.
- Photographs before and after the procedure / intervention.
- **Health information:** all health and sex-life related personal data obtained during or as a result of medical diagnosis, treatment and care services, including but not limited to your laboratory results, test results, examination data and prescription information.
- **Biometric data and other data:** your photographs connected with the healthcare services provided.
- If you receive video consultation through remote connection systems: identity data, contact data, health data and related sex-life and genetic data, as well as visual and audio data obtained in connection with the service, and the Meeting Records / Client File prepared by the Consultant. In general, all special and general categories of personal data that you share with our clinic / ASSOC. PROF. DR. HASAN ERSÖZ through various channels fall within the scope of the data collected.

PURPOSES OF COLLECTING PERSONAL DATA

Both the special categories and the general categories of personal data you share may be processed for the following purposes:

- Fulfilling our legal obligations under the Basic Law on Health Services No. 3359, Decree-Law No. 663 on the Organisation and Duties of the Ministry of Health and its Affiliates, the Regulation on Private Health Institutions Providing Outpatient Diagnosis and Treatment, the Regulation on Personal Health Data and other relevant regulations,

- Retaining your data within the scope of our contractual responsibilities,
- Retaining the information on health data that must be retained,
- Sharing the information requested by the Ministry of Health and other public institutions and organisations in accordance with the relevant legislation,
- Protection of public health, preventive medicine, and the provision of medical diagnosis, treatment and care services,
- Providing information to public prosecutors, courts and relevant public officials upon request and as required by legislation in matters of public security and legal disputes,
- Provision of healthcare and consultancy services, including preventive healthcare,
- Financing planning and management for the provision of healthcare services,
- Provision of video consultancy services,
- Taking all necessary technical and administrative measures within the scope of data security,
- Planning and managing the internal operations of the practice, developing services, carrying out analysis, risk management and evaluating quality processes,
- Informing you about your appointment if you make one,
- Monitoring and preventing abuse and unauthorised transactions,
- Issuing a self-employment receipt in return for the services we provide,
- Verifying your identity,
- Responding to all kinds of questions and complaints regarding our healthcare services,
- Measuring and improving patient satisfaction, training and developing our employees,
- Supply of medicines or medical devices,
- Carrying out risk management and quality improvement activities,
- Providing information through the marketing, media and communication and helpline departments, designing and delivering special content and tangible and intangible benefits on web and mobile channels, and carrying out public information activities,
- For ensuring the implementation of our practice's human resources policies: employee data, in addition to the obligations required by the Labour Law, employment and social security legislation and other legislation in force, to increase performance level and employee satisfaction and to ensure occupational safety and workplace peace.

Your personal data may be transferred to physical archives and/or information systems within our clinic and/or within contracted organisations and kept in both digital and physical form.

EXPLICIT CONSENT IN THE PROCESSING OF PERSONAL DATA

Under Articles 5 and 6 of KVKK, “personal data cannot be processed without the explicit consent of the data subject”. However, the following exceptions are listed:

- It is expressly provided for by law.
- It is mandatory for the protection of the life or physical integrity of the person or of another person who is unable to give consent due to actual impossibility or whose consent is not legally valid.
- Processing of personal data of the parties to a contract is necessary, provided that it is directly related to the establishment or performance of the contract.
- It is mandatory for the data controller to be able to fulfil its legal obligation.
- Data processing is mandatory for the establishment, exercise or protection of a right.
- Data processing is mandatory for the legitimate interests of the data controller, provided that it does not harm the fundamental rights and freedoms of the data subject.

However, we would like to state that these exceptions do not apply to all special categories of personal data in every case. Data relating to race, ethnic origin, political opinion, philosophical belief, religion, sect or other beliefs, appearance and dress, membership of associations, foundations or trade unions,

health, sex life, criminal convictions and security measures, and biometric and genetic data are special categories of personal data and cannot be processed without the explicit consent of the person concerned. If provided for by law, explicit consent is not sought for personal data other than health and sex life.

Personal data relating to health and sex life may be processed without seeking the explicit consent of the person concerned only for the purposes of protection of public health, preventive medicine, medical diagnosis, treatment and care services, and planning and management of healthcare services and their financing, by persons under an obligation of confidentiality or by authorised institutions and organisations.

Therefore, because we provide preventive medicine and other healthcare services, we process the health data of our patients and, where necessary and related, sex-life data without obtaining explicit consent. In cases regulated by law, we also process special categories of data other than health and sex life without obtaining explicit consent. We process all your other special categories and other personal data by obtaining your explicit consent.

In short, your personal data will be processed lawfully and fairly, in connection with, limited to and proportionate to the purposes of processing, accurately and up to date, and for specific, explicit and legitimate purposes.

RETENTION PERIOD OF PERSONAL DATA

Your personal data will be processed in accordance with the legislation on the protection of personal data, notably KVKK, and within the periods required by other legislation (such as statutory limitation periods and periods relating to legitimate interests), for as long as the purposes stated in this notice exist. The retention period of health data is, as a rule, 20 years.

PERSONS AND ORGANISATIONS TO WHOM YOUR PERSONAL DATA MAY BE TRANSFERRED

We may transfer your personal data to institutions or organisations permitted by the Basic Law on Health Services No. 3359, Decree-Law No. 663 on the Organisation and Duties of the Ministry of Health and its Affiliates, the Regulation on Private Health Institutions Providing Outpatient Diagnosis and Treatment, the Regulation on Personal Health Data and other relevant legislation; the Ministry of Health and its subunits; security forces and similar law enforcement under the Ministry of the Interior; public prosecutors' offices; courts; other official authorities empowered by law; private insurance companies; in the event of a possible legal dispute, our lawyers; consultants; auditors; business partners; laboratories, centres and similar third parties with which we cooperate for healthcare services; domestic organisations from which we receive services under contract or with which we cooperate to carry out our activities; and other third parties.

In addition, the personal data covered by this notice that is transferred for the fulfilment of legal obligations and of obligations arising from employment contracts and legislation, and the places to which it is transferred, are listed below:

- Identity / Social Security Institution, financial advisor, suppliers
- Professional experience / Social Security Institution, financial advisor
- Finance / Social Security Institution, financial advisor
- Professional experience / Social Security Institution, financial advisor
- Health information / Social Security Institution, Common Health Security Unit, suppliers, private insurance companies
- Physical premises security / Authorised public institutions and organisations
- Personnel file / Natural persons or private-law legal entities

WHAT SHOULD YOU DO IF YOUR PERSONAL INFORMATION CHANGES?

If there is a change in your personal data, you should tell us so that we can update our records. In addition, under our procedures, you will be asked to confirm the accuracy and currency of your personal data, such as your contact and address data.

PERSONAL DATA OF CHILDREN

Under the laws of the Republic of Türkiye, we may process the personal data of persons under 18 years of age, where explicit consent is required, with the consent of the minor's parent or guardian.

METHODS OF COLLECTING PERSONAL DATA

Personal data of employees, job applicants, potential recipients of products or services, recipients of products or services (hereinafter referred to as "patients"), supplier employees, supplier representatives and visitors is collected in the following ways:

- Personal data of patients, by the person concerned submitting documents in physical form
- Patient history of patients, by the person concerned submitting their résumé in physical form or sending it by e-mail or similar virtual methods
- By non-automatic methods
- Personal data of patients, by the person concerned completing forms in physical form and declaring their personal data verbally

RIGHTS OF THE DATA SUBJECT

Under Article 11 of KVKK No. 6698, the rights of the Data Subject are as follows. By applying to us under the legislation regarding your processed personal data, you have the right to:

- Learn whether personal data is processed,
- Request information if personal data has been processed,
- Learn the purpose of processing and whether it is used in accordance with its purpose,
- Know the third parties to whom personal data is transferred, domestically or abroad,
- Request correction of personal data if it is incomplete or incorrectly processed,
- Request deletion or destruction of personal data within the framework of the conditions in Article 7 of KVKK (since there is an obligation to retain health-related personal data under legislation, the right to deletion will be assessed under the Regulation on Personal Health Data),
- Request that correction, deletion or destruction operations be notified to third parties to whom personal data has been transferred (the same note on health data applies),
- Object to the occurrence of a result against you by analysis of the processed data exclusively through automated systems,
- Request compensation for damage if you suffer damage due to unlawful processing of personal data,
- Withdraw your consent at any time.

In addition, when we obtain your consent to process your personal data for a specific purpose (for example for a research project or scientific studies) or to carry out informative promotional activities, you may withdraw your consent at any time.

In this context, you may prepare your request regarding the above rights in a way that meets the conditions determined by the Personal Data Protection Authority and submit it to the e-mail address given below from the e-mail address you previously notified to us and registered in our system, or to our KEP (registered electronic mail) address with a secure electronic signature or mobile signature, or by hand or through a notary as a wet-signed petition to the postal address below, or by other methods that may be added in the future and determined by the Personal Data Protection Authority. Depending on the nature of your request, it will be concluded free of charge as soon as possible and within 30 (thirty) days at the latest. These applications are free of charge; however, if the process requires a separate cost, the fee in the tariff determined by the Board will be charged by our practice / ASSOC.

PROF. DR. HASAN ERSÖZ, pursuant to the second paragraph of Article 13 of the Law.

Postal address: Halkapınar Mh. Pakistan Blv. No:19/12 D:2205 35170 Konak / İZMİR / TÜRKİYE

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Kind regards.