

## Personal Data Privacy Notice

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HQAI is constantly developing and improving its tools and procedures. Depending on feedback and learning from experience, these may change. Please make sure you're using the latest version, which can be found in HQAI web-site.

How to give feedback or contribute to the process?

If you would like to provide comments on this, document or any aspect of our work, please send your feedback to: [contact@hqai.org](mailto:contact@hqai.org).

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# Personal data privacy notice

## Introduction

### I. The Humanitarian Quality Assurance Initiative

HQAI's objective is to improve the Quality and Accountability of organisations working with vulnerable and at-risk population through the provision and promotion of meaningful and adapted independent quality assurance. Its services are intended to build capacity in the sector and provide consistent measurable data in the delivery of quality action, thus improving principled, accountable, efficient provision of aid to vulnerable and at-risk populations.

To all its stakeholders, HQAI is an accountable, open and trustworthy partner, which applies the internationally recognised ground rules of auditing that are impartiality, competence, responsibility, openness, confidentiality and responsiveness to complaints. Our policies, procedures and tools for independent quality assurance follow relevant ISO standards requirements. HQAI's CHS certification scheme is accredited against ISO/IEC 17065:2012.

HQAI has developed robust tools to measure efficiently where an organisation stands in relation to the [Core Humanitarian Standard \(CHS\) on Quality and Accountability](#). Tools related to other standards may be developed in the future.

HQAI is committed to the nine fundamental principles of the CHS and implements them as far as they are applicable to its own activities.

These are:

- delivery of services that respond to the needs of users
- timely delivery of these services
- avoidance of negative effects
- transparency and participation in decision-making
- provision of safe complaint mechanisms
- avoidance of duplication
- responsible management of staff, including non discrimination
- responsible use of resources

### II. Scope

This Personal Data Privacy Notice (hereinafter "Privacy Notice") applies to all Personal Data processed by HQAI, regardless of the media on which the Personal Data is stored (paper-based, electronic, or otherwise). This Privacy Notice sets out how HQAI processes personal data from any data subject that enters into contact with HQAI's activities.

### III. References

The following referenced documents can usefully complement this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

NA

### IV. Definitions

Unless specified below and in the text, for the purposes of this document, the terms and definitions provided in the CHS and POL114-Quality Assurance policy apply.

HQAI applies the definitions as stated in Art. 4 of the GDPR. For the purpose of accessibility of this Privacy Policy, only a selection of the most relevant legally defined terms is presented here:

Personal data:	<p><b>'personal data'</b> means any information related to an identified or identifiable physical entity (<b>'data subject'</b>); an identifiable physical entity is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;</p> <p><b>Note:</b> <b>'data subject'</b> any living individual who is the subject of Personal Data held by an organisation. Data subjects within HQAI may include members of the public, donors, volunteers, fundraisers, current, past, and prospective employees, service suppliers and other individuals with whom HQAI communicate.</p>
Special categories of personal data:	<p><b>'Special categories'</b> of personal data are personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.</p>
Data controller	<p><b>'controller'</b> means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data;</p>
Consent:	<p><b>'consent'</b> of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement</p>

- to the processing of personal data relating to him or her;
- Cookies:** Small text files that are placed on your computer or other device by websites you visit and are used to make the sites work, to work more efficiently, and to provide information to the site owners.
- Data portability:** The right for data subjects to receive from and/or transfer their personal data between data controllers if the personal data has been provided by the data subject, and the processing is based on a contract or consent.  
Note: Data is transferred directly to another controller or to an IT environment, without hindrance in a structured, commonly used and machine-readable format ensuring interoperability.
- Processing:** **'processing'** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- Sub-processor:** **'Sub-Processor'** means any person or entity appointed by or on behalf of the Processor to process personal data on behalf of the Controller;

## Notice

### 1. Background

- 1.1 The purpose of this privacy notice is to provide you with information on the personal data concerning you that is collected by HQAI through its website (hereinafter referred to as the "website") and/or any contact made by you through the association "Initiative Assurance Qualité Humanitaire" (HQAI for its acronym in English) - acting and referred to hereinafter as "we", "us" and "our"), whose registered office is located at Chemin de Balexert 7-9, 1219 Châtelaine (Geneva), Switzerland.
- 1.2 The association is registered in the Geneva Trade Register under the number CHE-258.577.051
- 1.3 In accordance with the European General Data Protection Regulation (GDPR) and Switzerland's new Federal Act on Data Protection (FADP), HQAI operates as a **'data controller'**. The case where HQAI operates as a **'data processor'** is specified in Article 9 of this procedure.
- 1.4 This notice is also intended to explain to you why we collect and process your personal data, on what legal basis and how we process the data you provide to us, and the data we

collect when you visit the website. By using our website, filling in an off-line form or signing a contract with HQAI, you agree to the terms of this privacy notice.

## 2. Legal basis

2.1 We process your personal data only because you have given us your specific consent or because such processing is necessary for the performance of a contract to which you are a party.

2.2 We fully comply with the provisions of Swiss law (new Federal Act on Data Protection, or FADP, <https://www.fedlex.admin.ch/eli/cc/2022/491/fr>, <https://www.fedlex.admin.ch/eli/cc/2022/491/en> (English translation with no legal force) and European Union law (European Union General Data Protection Regulation, or GDPR, <https://eur-lex.europa.eu/eli/reg/2016/679/oj>).

## 3. Personal data collected

3.1 We collect personal data about you (hereinafter referred to as "personal data") when you apply for one of our services or fill in a web form.

3.2 We do not collect personal data through cookies. See below "9. Use of cookies" for more information.

3.3 It is sometimes necessary to register in order to access certain pages of our website or to participate in some of our meetings and events, which may be done by e-mail or by using third-party registration tools.

3.4 In order to access certain parts of our website with limited access, it is necessary to log in. To create a user account, you must provide us with your first and last name(s), organisation name, business e-mail address and a password.

3.5 On the contact form on the website we ask for a name and an e-mail address only.

3.6 On different forms, in particular the initial application form (on-line and/or as separate documents) we may ask for the:

- provide name;
- gender;
- date of birth;
- e-mail;
- business or private telephone numbers;
- skype ID,
- name of organisation;
- function in the organisation.

3.7 This may concern several employees of the organisation, depending on the nature of the form and only in the measure it is necessary for the delivery of the service that is expected from us.

3.8 Specific contracts, in particular the auditor contracts, may require the collection of additional personal information (e.g. bank account, passport number).

3.9 We may combine the personal data you through our website with other personal data about you obtained from other sources such as e-mail, telephone or our pages on social media

platforms, and for the same purposes.

## 4. Processing of personal data

- 4.1 Your personal data will be used exclusively to the extent necessary to enable us to:
- 4.1.1 on the basis of your specific consent, respond to your direct requests, as stated when we collect your personal data or explained before any use of your data;
  - 4.1.2 on the basis of your specific consent, create a user account and complete a user profile to enable you to benefit from unique identification and thus access certain restricted areas of our site or Cloud, which are accessible to you depending on your relationship with HQAI.
  - 4.1.3 enable you to register for any of our meetings or events, based on your acceptance of the related terms and conditions, by facilitating feedback and discussion during such meetings or events;
  - 4.1.4 to compile statistics - anonymised - on the use of our website or our services;
  - 4.1.5 on the basis of your specific consent, respond to media requests where relevant;
  - 4.1.6 to send you one or more of our newsletters or targeted information, subject to obtaining your explicit prior consent.
- 4.2 We will not use your personal data for purposes other than those set out in this privacy notice, except to comply with a legal obligation.
- 4.3 However, if we do use your personal data for other purposes, we will update our privacy notice and notify you. With respect to consent-based activities, we will not process your personal data for new purposes without first obtaining your consent.

## 5. Special Categories of Personal Data

- 5.1 To ensure optimal access to our on-site meetings or events, we may ask you if you have a disability that would require special measures to facilitate your presence, or if you are on a special diet.
- 5.2 We will not collect or process any other special categories of personal data about you, such as data revealing your racial or ethnic origin, your political, religious or philosophical opinions or other beliefs of a similar nature, your trade union membership.
- 5.3 We will not collect or process any genetic or biometric data that can accurately identify a natural person, his or her health, sex life or sexual orientation.
- 5.4 Where the data processed by HQAI can be considered sensitive or special category personal data, HQAI will not collect, process, and store such data, unless permissible under the strict exemptions listed in GDPR, the FADP or local legislation.

## 6. Marketing

- 6.1 We will not use your personal data for marketing mailings to you or to third parties without your prior explicit consent, unless permitted by applicable law.

- 6.2 You can decide at any time to stop receiving commercial or promotional information from us.  
Note: To do so, simply unsubscribe free of charge and without justification from any direct marketing campaign and object to the future processing of your personal data for this purpose by sending us a message to [communication@hqai.org](mailto:communication@hqai.org) with the word "unsubscribe" in the subject line of your e-mail. You can also use the unsubscribe procedure provided in all promotional messages that we send you.
- 6.3 Please note that, although you will no longer receive our promotional messages, you will continue to receive information relating to any contracts you may have entered into with us.

## 7. No Automated Decision Making

- 7.1 We will not use automated decision-making processes, nor profiling, without your prior explicit consent, unless permitted by applicable law, in particular FADP and the EU GDPR.
- 7.2 In such a case, we will explain to you the reasons why we have used such a device, as well as the importance and the consequences that this could have for you.

## 8. Sharing of personal data with third parties and transfer to third countries

- 8.1 We will not make your personal data available to any third party or disclose them unless such data transfer is based on your specific consent, is necessary for the performance of a contract between you and us or is permitted or required by law or by order of an administrative or judicial authority.
- 8.2 We may pass on your personal data to:
- 8.2.1 persons entrusted by us with an audit that you have entrusted to us;
  - 8.2.2 persons in charge of an audit concerning the operation of HQAI;
  - 8.2.3 persons in charge of undertaking performance trend analysis or other studies on behalf of HQAI;
  - 8.2.4 partners involved in our meetings or events;
  - 8.2.5 suppliers of direct mail tools used to send our newsletters;
  - 8.2.6 hosts;
  - 8.2.7 persons to whom we are obliged to transmit them by virtue of an enforceable order from a judicial or administrative authority.
- 8.3 HQAI endeavours not to use services that require storing data outside Switzerland or the European Economic Area.  
Note: Your personal information may nevertheless be accessed and processed outside Switzerland or the European Economic Area (the European Economic Area or EEA comprises the European Union and Iceland, Liechtenstein and Norway), including by personnel of our auxiliaries (suppliers or agents) operating outside Switzerland or the EEA (this includes, for example, auditors we appoint).
- 8.4 When in the absence of any reasonable alternative your personal information is



transferred outside Switzerland or the EEA, we require that one of the following appropriate safeguards be in place in accordance with data protection laws:

- 8.4.1 a decision of the European Commission recognising that the country receiving the transfer of our clients' data provides an adequate level of data protection;
- 8.4.2 that, in the absence of such a decision, existing contracts with such auxiliaries include EU-approved standard clauses relating to the protection of our partners' data.
- 8.4.3 concerning auditors, that they do not store data outside of HQAI's server other than what strictly necessary for the accomplishment of their tasks and that their computers be protected according to industry standards (see also 12.3).

## 9. HQAI as a 'data processor'

- 9.1 HQAI, when contracted as a third-party quality assurance provider, operates as a **data processor**.
- 9.2 The contracting party (client) is the **data controller** after signing an Agreement letter with HQAI.
- 9.3 HQAI's auditors are **sub-processors** and are contracted in accordance with Article 28 of the GDPR.
- 9.4 For the entire duration of the contract between HQAI and the contracting party, the selection, replacement and contracting of sub-processors (e.g. HQAI's auditors), necessary for the performance of that contract, are subject to the prior consent of the contracting party (e.g. audited partner).
- 9.5 HQAI, as data processors, operates in full accordance with the GDPR and Switzerland's new Federal Act on Data Protection (FADP) unless otherwise instructed in a data processing agreement, however with no stipulation of the latter agreement constituting a violation of the GDPR and/or the FADP.
- 9.6 As a data processor, HQAI is responsible for ensuring that each of its employees, agents, or subcontractors are made aware of the obligations, stated in the GDPR, the FADP and any data processing agreement that covers their data processing activities.

## 10. Use of cookies

- 10.1 Our website uses one strictly necessary cookies for security reasons as well as few cookies used by Google Analytics to collect information about how visitors use our website.
- 10.2 We have however chosen to activate the IP Anonymisation feature on Google Analytics to mask visitors' IPs.

Note: IP Anonymisation takes place before any data is processed or stored, meaning that no complete IP address is stored.

## 11. Sharing on social networks

- 11.1 We propose links from our website to Facebook, Twitter, LinkedIn and other social media platforms of your choice using the "Share" buttons.

Note: For data protection reasons, we have deliberately chosen not to use automatic social sharing plug-ins on our website. We prefer to use an alternative technical solution that allows you to decide if and when you wish to transmit data to social network operators. Thus, when you visit our site, your data is never automatically transmitted to a social network. In order for your browser to connect to the servers of the social network, you will need to click on the button provided for this purpose. In fact, when you click on certain elements of the site and then on the social network icon, you authorise your browser to

connect to the servers of this social network and to transmit data to its operator, whether or not you are a subscriber to this social network.

- 11.2 We have no control over the nature of the data that social networks may then collect or the scope of collection.

Note: To learn more about the purpose and scope of data collection, processing and use by social networks, as well as your data protection rights and configuration settings, please refer to the respective privacy notices of the social networks.

## 12. Links to other sites

- 12.1 In certain sections of this website, we provide links to external sites to offer specific functionalities.

Note: This may be the case, for example, for third-party registration tools used to register you for our meetings or events.

- 12.2 These links are not subject to this privacy notice.

Note: These links are provided for your convenience, but we have no control over these third parties or their websites, nor on whether their privacy policies will differ with respect to the information collected about you when you visit their sites. We encourage you to carefully read the privacy notices of all websites before disclosing any personally identifiable information to them.

## 13. Security and Confidentiality

- 13.1 We have implemented technical and organisational measures in accordance with good practice to ensure an appropriate level of security for the personal data processed, however, security requires efforts on the part of all parties concerned.

- 13.2 When you provide personal information via our website, this information is transmitted securely over the internet using an industry standard protocol (Hypertext Transfer Protocol Secure (HTTPS)).

- 13.3 As for third parties who act on our behalf to perform the tasks described in this Notice, or for other purposes that you have approved, we require them to take appropriate technical and organisational measures to protect the data.

- 13.4 This Privacy Notice does not apply to our partners whose sites are accessible through links on HQAI's site.

Note: These are subject to independent privacy policies and are not controlled by HQAI. We are thus not responsible for any personal information that third parties may collect about you through these other websites.

- 13.5 In addition, in some cases we may be required by law to disclose our partners' personal information to third parties, in which case we have limited control over how such information is protected by such third parties.
- 13.6 We encourage you to further contribute to these efforts by taking appropriate security measures yourself, including using effective passwords and avoiding sharing your usernames and passwords.
- 13.7 If you receive a suspicious e-mail, for example, referring to a communication with us that you believe has not taken place or if you have any doubts about the origin of an e-mail, please let us know.

## 14. Children

- 14.1 Our Website is not directed to children under the age of sixteen, and we do not knowingly collect information from children under the age of sixteen.
- 14.2 If you suspect that your child has provided us with personal data, please contact us at [communication@hqai.org](mailto:communication@hqai.org) (see also 14.2).

## 15. Your Rights

You can exercise your rights, mentioned hereafter, at any time and by submitting a valid, formal request to HQAI (see 14.2)

Right to access any personal information we hold about you, the purpose for processing your information and any recipient or categories of recipient to whom your information has been disclosed.

Right to request a copy of any information which we hold about you.

Right to rectification of personal information that you consider to be inaccurate. Right to update personal information that you consider to be incomplete.

Right to request that we delete personal information we hold about you. Right to request us to restrict the processing of your personal information. Right to data portability.

Right to object to the processing of your personal information, subject to certain criteria.

Right to object to direct marketing.

Right to have your information transferred where technically feasible. Right to withdraw your consent, where processing is based upon consent.

Right to lodge a complaint with a supervisory authority specifically in the member state where you habitually reside or place of the alleged infringement if you consider we have infringed your data protection rights.

- 15.1 In order to be able to process your request, you must provide us with the information below:

- 15.1.1 all information enabling us to verify your identity (at least a copy of your valid identity document with an up-to-date photo);
- 15.1.2 in the event of a request on behalf of someone else, a declaration of consent by that person with the elements to verify his or her identity (at least a copy of his or her valid identity document with an up-to-date photo);
- 15.1.3 a description of the data you wish to access and a range of dates during which it may have been collected;
- 15.1.4 other information that may enable us to find your data.
- 15.2 If you believe that we hold incorrect or incomplete information about you, please contact us to correct it.
- 15.3 You may also object to the processing of the data or request that it be restricted and benefit from the right to data portability in accordance with Article 20 of the GDPR by filling in a specific form available on our online platform and/or sending an email to the data manager at [communication@hqai.org](mailto:communication@hqai.org).
- 15.4 We will only retain your personal data for the time necessary to achieve the purposes described above or in accordance with FADP or GDPR on data retention and the statutory limitation periods for making a claim.
- 15.5 In certain circumstances, you may request that we retain your data, but not use it; for example, if you consider that we hold information about you that you may need for legal reasons.
- 15.6 In addition, you may believe that you have grounds to refuse the use of your data where such use is based on our legitimate interest, as explained in this policy.  
Note: Before we use your data for our business interests, we have adjusted these interests to your rights and freedoms. However, if you believe that you have reasons to refuse the use of your data, you can explain your particular situation to us and we will consider your request.
- 15.7 If necessary, you have the right to withdraw your consent at any time, without prejudice to the legitimacy of processing operations based on the consent obtained prior to its withdrawal.  
Note: If you have any concerns about the use of your personal data and the respect of your rights, please contact us. We will answer your questions and take the necessary steps to ensure that our practices are consistent with our promises and obligations.
- 15.8 As a data subject, you have the right to lodge a complaint with a supervisory authority (in particular in Switzerland or in the EU Member State of your habitual residence, place of work or the place where the violation was committed) if you believe that the processing of your personal data violates the data protection law in force.
- 15.9 In the event of a dispute regarding the content or application of this personal Data Protection Notice, the ordinary courts of Geneva (Switzerland) are competent to rule, with appeal to the Swiss Federal Court being reserved.

## 16. Data Protection Contact points

- 16.1 We have appointed Désirée Walter as key contact, who can be reached at [communication@hqai.org](mailto:communication@hqai.org), specifying in the title of the message that it concerns an enquiry about your personal data.

- 16.2 You can contact this person for any questions relating to the processing of your personal data and the exercise of your rights under current national and European data protection legislation.

### Representative to the European Union and the United Kingdom

- 16.3 Contact us if you are located in the EEA or the United Kingdom and have questions about your personal data or would like to request to access, update, or delete it.

## 17. Date of entry into force and amendments

- 17.1 This Privacy Notice is effective as of 20 January 2022.

- 17.2 We reserve the right, at our sole discretion and at any time, to modify or delete portions of this Privacy Notice or to supplement it.

Note: We encourage you to periodically visit our website to review the most current version of this notice. Please note that your continued use of this website following the posting of changes to the terms and conditions indicates your acceptance of those changes.

