

Personal data protection declaration

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This personal data protection declaration is part of TCM Belgium's privacy tools and sets out the way we apply GDPR (General Data Protection Regulation). The protection of personal data is an integral part of our [values](#), [ethics](#) and state of mind. We are committed to ensuring the best level of protection for your personal data in accordance with the European and Belgian regulations which are applicable in the matter.

TCM Belgium pays great attention to the ethical aspect of its work; towards its employees, its customers and their debtors. We are convinced that success depends deeply on mutual respect and courteous communication.

1. Who is responsible for processing my personal data?

The data controller is:

TCM BELGIUM sa, Industriepark 6, 3300 Tienen
Company number: BE0 451 082 959
www.tcm.be - privacy@tcm.be

The "data controller" is the entity that defines for what use and how your personal data is used.

TCM Belgium processes data relating to its customers and their debtors, and to its suppliers and its staff.

TCM Belgium is a debt collection company. It offers creditors the opportunity to boost and optimize their cash flow by opting for amicable debt recovery. Amicable debt collection is the art of obtaining payment from debtors without going through legal proceedings.

In the context of debt collection, the role of TCM Belgium is that of a service provider who decides alone on the means it puts in place and the purposes of processing the files it receives from its client. However, we always inform our client. It is the client (the creditor) who defines the ultimate goal (collect the debt) and who retains overall control of his debt.

For any questions about the processing of your personal data, the exercise of your rights, or other questions concerning personal data, you can contact our Data Protection Officer by email at privacy@tcm.be.

2. Why does TCM collect my personal data?

2.1. PROCESSING AND PURPOSES RELATING TO THE DEBT COLLECTION ACTIVITY

Collection management includes the following processes:

- **Debt collection management:** Save debtors' data and their claims communicated by the customers and proceed to the recovery of these claims.
- **Printing and mailing letters to debtors:** Communication of letters to a service provider responsible for printing, and mailing.
- **Management of debtors' home visits:** Organize visits and visit debtors to support them in understanding their claims and promote a smooth recovery of their debts.
- **Transfer the claim to an attorney at law in the event of the client's decision to sue:** Provide a lawyer with access to the debtor's data and his file when prosecution is required by the client.
- **International claims management:** Record debtors' data and their claims communicated by foreign customers (via TCM Group) and proceed to the recovery of these claims. Communicate foreign debtors' data and their claims (via TCM Group) to debt collection companies active in these foreign countries.
- **Client reporting:** Provide the client with a recovery process situation.
- **Hosting of the CMS application:** Host the receivables management application and its database, the attached files, as well as the backups.
- **Use of cookies by the CMS application:**

Name:	TS01e46ae7
Description:	This cookie is issued by our firewall to verify that cookies sent from our server to your computer are not modified in a malicious way, for example in a process of identity theft.
Lifespan:	600 second
Issuer:	cmsonline.tcm.be
Category:	Functional (strictly necessary)

- **Generation of statistics:** Querying the receivables database for statistical and reporting purposes.

2.1.1. Legal basis

TCM Belgium processes debtor's personal data based on its legitimate interest (GDPR article 6f), because it collects the debts entrusted by its client. As a creditor, the client of TCM Belgium also has a legitimate interest in recovering his claim.

TCM Belgium ensures that the appropriate guarantees are put in place to respect the balancing of the interests of the parties (the debtor, TCM, the creditor).

2.1.2. Categories of persons concerned

The people affected by these processes are debtors.

2.1.3. Data categories

For debtors, we process the following categories of data:

- Identification data
- Data relating to their claims (contract)
- Data relating to the payment (s)
- Letters and information exchanged with debtors

TCM Belgium does not perform debtor profiling.

2.1.4. Origin of data

Identification data - data relating to the receivables concerned by the recoveries, as well as data relating to the payments possibly already made are provided to TCM Belgium by the creditor. When the debtor has not updated his contact data (such as a new postal address) with the creditor as he is bound to do, TCM Belgium requests such data from authorized third parties (eg: public authorities).

TCM Belgium generates new data relating to debtors thanks to the contacts that TCM has with the debtor.

TCM Belgium does not communicate personal data to anyone other than the recipients mentioned below.

2.1.5. Data recipients

To provide its service, TCM Belgium:

- Shares data with the creditor and other controllers or processors for the sole purpose of collecting the debt: assignees, collection agents, other service providers, courts, ministerial officers, lawyers.
- Shares data with its application development service provider and collection management tools. Data processing takes place within the European Union.

- Uses the services of a provider of hosting services for the application and IT tools. Data is stored within the European Union.
- Shares data with Belgian or foreign subcontractors according to the needs of debt management. Data transfers outside the European Union are based on standard contractual clauses when the country to which the data is transferred does not offer adequate protection as required by GDPR.

2.1.6. Storage periods

While stored, data is hosted within the European Union.

All data used to identify the debtor is kept for a maximum of 10 years after the discharge of the debt or the end of the mandate. This period corresponds to the limitation period of ordinary law (art. 2262bis Civil Code).

TCM Belgium has taken internal technical and organizational measures, as well as measures with its subcontractors, to ensure that there is no longer any backup file, or e-mail containing information on debtors beyond 10 years.

Taking into account the above paragraph, data subjects have the right to require deletion of their personal data if retention of such data is no longer necessary with regard to the purposes for which they were collected, if they have been the subject of unlawful processing or to comply with a legal obligation. Archived data has limited access.

2.2. PROCESSING AND PURPOSES RELATING TO THE MANAGEMENT OF PERSONNEL RECRUITMENT

TCM Belgium performs the following processes:

- **Recruitment management:** Registration and processing of applications received: spontaneous applications, responses to applications.

2.2.1. Legal basis

TCM Belgium processes the personal data of applicants based on the GDPR article 6b, since the processing is necessary for pre-contractual measures taken at the applicant's request.

2.2.2. Categories of persons concerned

The applicants (candidates for recruitment).

2.2.3. Data categories

For applicants, we process the following categories of data:

- Identification data
- Resume
- Notes relating to the application interviews

2.2.4. Origin of data

Data is provided by the applicant.

2.2.5. Data recipients

Data is not disclosed to third parties except for legal obligations.

2.2.6. Storage periods

In the context of recruitment management, data is kept for one year after the applicant's request. Data could be kept for 2 years with the purpose of maintaining a recruitment reserve.

2.3. PROCESSING AND PURPOSES RELATING TO CUSTOMER AND SUPPLIER DATA

TCM Belgium performs the following processes:

- **Accounting and financial management:** Invoice and payment management.
- **Supplier contact management:** Management of all supplier contacts.
- **Management of customer contacts:** Management of all customer contacts.

2.3.1. Legal basis

Personal data processing for accounting and similar purposes is based on the legal obligations for these respective processes.

Customers' and supplier's personal data is processed, for professional use, based on our legitimate interest (prospecting) or for the purposes of establishing contracts.

2.3.2. Categories of persons concerned

Supplier or customer contact data

2.3.3. Data categories

- Identification data
- Invoices
- Payments
- Mail
- E-mails
- Contact cards

2.3.4. Origin of data

Data is supplied by the data subjects, the debtors, the client companies, the supplier companies.

2.3.5. Data recipients

- Accountants
- IT maintenance and support service providers

2.3.6. Storage periods

TCM Belgium keeps personal data for the legal periods and deletes them at the end of such periods.

Data present in the company's files and emails is destroyed within a period of maximum 10 years.

2.4. Processing and purposes relating to communication and marketing (including cookies)

As part of the promotion of its activities, TCM Belgium performs the following processes:

- **External communication:** sending newsletters.
- **Use of cookies on the website:**

A cookie is a small text file sent by the website server to the hard drive of your device. The cookie contains a unique code to recognize your browser during your visit or on a subsequent visit. The content of a cookie usually consists of the name of the server that placed the cookie, an expiration date and a unique code.

The use of cookies requires your prior and explicit consent. You can refuse these cookies and / or delete them at any time by modifying your browser settings. However, certain functions of the website will be affected.

There are several types of cookies; some are used for session management, personalization, tracking, and there are third party cookies. For more information, we recommend the following article on Wikipedia: <https://en.wikipedia.org/wiki/Cookie>

The TCM Belgium website uses functional cookies that do not impact your personal data and cookies for the analysis of website visit statistics. It also uses tracking cookies, including Google Tag Manager cookies which are generated by the Google Analytics statistics tool. They allow us to measure the number of visits, the number of page views, the activity of visitors to the site and their frequency of return. By authorizing these third-party services, you agree to the placement and reading of cookies and the use of tracking technologies.

Strictly necessary functional cookies

Name:	o2s-chl
Description:	This cookie is used by the host to verify that it is not an automated, bot access, and contains only the text expected by the server.
Lifespan:	1 year
Issuer:	tcm.be

Category:	Functional cookies (strictly necessary)
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Name:	axptio_cookies
Description:	Collect consent about cookies.
Lifespan:	1 year
Issuer:	tcm.be
Category:	Functional cookies (strictly necessary)

Name:	wordpress_test_cookie
Description:	Used on sites built with Wordpress. Tests whether the browser has enabled cookies or not.
Lifespan:	Duration of your session
Issuer:	tcm.be
Category:	Functional cookies (strictly necessary)

Name:	axptio_authorized_vendors
Description:	Records users' choice of cookies.
Lifespan:	1 year
Issuer:	tcm.be
Category:	Functional cookies (strictly necessary)

Performance cookies

Name:	_gat_UA-nnnnnnnn-nn
Description:	This is a template-type cookie set by Google Analytics, where the template element of the name contains the unique identity number of the account or website to which it relates. It appears to be a variant of the _gat cookie which is used to limit the amount of data recorded by Google on high traffic websites.
Lifespan:	Persistent
Issuer:	tcm.be
Category:	Performance cookies

Name:	_ga
Description:	This cookie name is associated with Google Universal Analytics - which is an important update to the more commonly used Google analytics service. This cookie is used to distinguish unique users by assigning a randomly generated number as the customer identifier. It is included in every page request on a site and used to calculate visitor, session, and campaign data for site analytics reports.
Lifespan:	Duration of your session
Issuer:	tcm.be
Category:	Performance cookies

Tracking cookies

Name:	VISITOR_INFO1_LIVE
Description:	This cookie is used as a unique identifier to track video viewing.
Lifespan:	Persistent
Issuer:	youtube.com
Category:	Cookies for targeted advertising

Name:	GPS
Description:	YouTube is a platform owned by Google for hosting and sharing videos. YouTube collects user data through videos embedded in websites, which are aggregated with profile data from other Google services in order to display targeted advertisements to web visitors across a wide range of their own websites and other sites.
Lifespan:	Persistent
Issuer:	youtube.com
Category:	Cookies for targeted advertising

Name:	YSC
Description:	YouTube is a platform owned by Google for hosting and sharing videos. YouTube collects user data through videos embedded in websites, which are aggregated with profile data from other Google services in order to display targeted advertisements to web visitors across a wide range of their own websites and other sites.
Lifespan:	Duration of your session
Issuer:	youtube.com
Category:	Cookies for targeted advertising

Name:	NID
Description:	This domain is the property of Google Inc. Although Google is primarily known as a search engine, the company provides a diverse range of products and services. Its main source of income, however, is advertising. Google follows users closely, both through its own products and sites, and through the many technologies built into millions of websites around the world. It uses the data collected by most of these services to profile the interests of Internet users and sell advertising space to organizations based on these interest profiles, as well as to align the advertisements with the content of the pages where the websites appear. advertisements of its customers.
Lifespan:	Persistent
Issuer:	Google.com
Category:	Cookies for targeted advertising

Name:	test_cookie
Description:	This domain is owned by Doubleclick (Google). The main commercial activity is: Doubleclick is a real-time advertising exchange of Googles.

Lifespan:	Persistent
Issuer:	DoubleClick.net
Category:	Cookies for targeted advertising

Name:	IDE
Description:	This domain is owned by Doubleclick (Google). The main commercial activity is: Doubleclick is a real-time advertising exchange of Googles.
Lifespan:	Persistent
Issuer:	DoubleClick.net
Category:	Cookies for targeted advertising

Name:	_gid
Description:	The name of this cookie is associated with Google Universal Analytics. This appears to be a new cookie and, as of spring 2017, no information is available from Google. It seems to store and update a unique value for each page visited.
Lifespan:	Persistent
Issuer:	Google.com
Category:	Cookies for targeted advertising

2.4.1. Legal basis

TCM Belgium processes personal data of its contacts for communication and marketing purposes based on the data subject's consent.

2.4.2. Categories of persons concerned

Website visitors, people who subscribe to the newsletter.

2.4.3. Data categories

- E-mail adress
- Last name and first name
- Cookies
- IP addresses

2.4.4. Origin of data

Data is supplied by the data subjects.

2.4.5. Data recipients

- TCM Belgium uses the services of a mailing service provider. It is a supplier based in the USA. Data transfer is based on the principles of the Privacy Shield.
- TCM Belgium uses the services of Google Analytics for analytical cookies.

2.4.6. Storage periods

We keep data of data subjects until they withdraw their consent or until we find that it is obsolete.

3. What are my rights regarding the use of my personal data?

3.1. RIGHTS OF THE DATA SUBJECT

All data subjects have the right of access, rectification and right to object.

In accordance with the General Data Protection Regulations in Europe (EU Regulation 2016/679), you have the right obtain access to and rectification of your personal data, and if the legal conditions allow it, erasure of personal data.

Data subjects have the right to object, for legitimate reasons, to the processing of their data, unless the processing meets a legal obligation.

TCM Belgium is at your disposal to examine your requests with you; please contact us by email at privacy@tcm.be. We will get back to you within one month.

3.2. RIGHT TO LODGE A COMPLAINT WITH THE SUPERVISORY AUTHORITY

In accordance with article 77 of the GDPR, you have the right to lodge a complaint with the supervisory authorities if there are valid reasons or indications that the processing is not carried out legally. The address of the responsible supervisory authority for our company is:

Data Protection Authority (APD)
Rue de la Presse 35
1000 Brussels

<https://www.dataprotectionauthority.be/contact-us>

Last updated: 16 November 2020 (being essentially cookies update)