

DATA PROTECTION IMPACT ASSESSMENT

NOBI-LAMP



V2
2023.06.30

Change History

Date	Author	Version	Comments
24.05.2023	Nuans Law / DPO	V1.0	
16.06.2023	Nuans Law / DPO	V1.1	
30.06.2023	Nuans Law/DPO	V2	

1. Introduction

Nobi is a tech company active in fall detection, fall prevention and monitoring of vital signs. Nobi's mission is to enable as many vulnerable adults as possible to live independently with a high quality of life for as long as possible. For this purpose, Nobi develops smart lighting and risk prevention tools.

Nobi developed and commercialises **a smart lamp** to be used in private homes or service flats that monitors vulnerable people who live alone so that they can live independently for as long as possible. With AI technology the Nobi lamp detects when a vulnerable adult falls, provides communication between the Nobi-user and dedicated family members or caregivers and so ensures assistance is provided.

In the context of the Nobi lamp, the platform, tools and services provided by Nobi, Nobi processes personal data of the Nobi-user such as identification data, personal characteristics, health data and images.

Nobi makes every effort to take all appropriate measures to comply with data protection legislation and to secure the processing of personal data.

This document is a blueprint template for customers (as data controllers) of Nobi (as data processor) to conduct a Data Protection Impact Assessment if required under applicable data protection legislation (in particular Article 35 of the General Data Protection Regulation (GDPR)) with regard to **the use of the Nobi-lamp**.

2. What is a DPIA and why do I need to conduct a DPIA?

A Data Protection Impact Assessment (DPIA) is a risk assessment enabling the data controller to assess the privacy and data protection impacts of a project, policy, programme, product, software or service and, in consultation with the relevant stakeholders, to ensure that the necessary measures and actions are taken to avoid or minimise potential negative impacts on the data subjects (in this case, the vulnerable adult) of whom personal data shall be processed.

A DPIA helps your company to identify the privacy risks when planning a new activity or project (such as the use and integration of the Nobi lamp) or revising an existing one, and to identify the necessary actions and measures to mitigate these risks.

A DPIA helps you to comply with applicable data protection legislation. A DPIA is legally required under Article 35 GDPR when you are undertaking a high-risk processing of personal data, such as the processing of health data, on a large scale and in the context of smart applications, AI or new or innovative technologies (such as the Nobi lamp).

More information can be found in the guidelines of the (former) Article 29 Working Party of EU data protection authorities: [Guidelines WP29](#). This document should be read in conjunction with these guidelines.

When performing the DPIA you should evaluate:

- The nature, scope, context and purposes of the data processing.
- The information available with regard to the data processing activities. Please note that Nobi can assist and provide you with all necessary information (as also provided in this document).
- The specific privacy risks when processing personal data of vulnerable adults when using the Nobi lamp and the assessment of those risks.
- The applicable (data protection) laws, legal framework and practices of your country.
- The measures and actions to be taken to mitigate the risks.
- The decision whether or not to consult the competent supervisory authority.

This document helps you to map out what is necessary to conduct a DPIA.

3. When should I complete the DPIA?

You should complete the DPIA as early as possible during project planning, prior to concluding any agreement(s) with Nobi or using the Nobi lamp. The DPIA should be conducted as early as practical and prior to any processing of personal data through the Nobi lamp.

4. Consult your Data Protection Officer and/or advisors

In order to undertake a DPIA you should consult your Data Protection Officer, advisor(s) or compliance team for input, information and assistance.

Any questions? Contact Nobi: privacy@nobi.life.

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STEP I. BACKGROUND - CONTEXT		
1.	Relevant parties:	
A.	<i>Data controller</i>	[...] Relevant internal stakeholders: [...]
B.	<i>Country of data controller</i>	[...]
C.	<i>Data processor</i>	Nobi Company details: - Nobi NV Generaal Lemanstraat 47 box 5 2018 Antwerp Belgium Relevant internal stakeholders: - Project manager: [...] - Data Protection Officer Nobi: privacy@nobi.life
D.	<i>Country of data processor</i>	Belgium
E.	<i>Data controller's industry, business or activities</i>	Healthcare industry [...]
F.	<i>Starting data processing activities</i>	[...]
2.	General description of the Nobi lamp, context and data processing:	
A.	<i>What is the Nobi lamp?</i>	The Nobi lamp is a IoT application, a smart lamp to be used in private homes or service flats for fall prevention and fall detection and which monitors vulnerable adults who live alone so that they can live independently for longer. With AI technology the Nobi lamp detects when a vulnerable adult falls and ensures help is provided. Nobi monitors vulnerable adults and provides communication between the resident/Nobi-user and family members or caregivers.
B.	<i>Nature and context of the data processing</i>	Personal data is being processed in the context of the use of the Nobi lamp for fall prevention and fall detection, the platform, tools and services provided by Nobi. It encloses: - identification data, - housing and location data,

		<ul style="list-style-type: none"> - sensitive data (health/ a fall), - images, - sound (confirm or reject a fall), - health data (only if necessary) <p>of the elderly or Nobi users. Detail can be found in I.4.B.1.</p>
C.	<i>Will your company be transferring the personal data to another party/parties (e.g. sub-processor(s))?</i>	Yes, the data captured will be transferred to Nobi (data processor of your company) or any subprocessors of Nobi (cf. infra).
3.	Why is there a need for a DPIA?	
A.	<i>What are the objectives of the project and type of data processing?</i>	<p>Nobi wants to make it possible with its smart lamp for as many vulnerable adults to continue living where they want (private home or care facility). A place where they feel safe. As the population grows and life expectancy improves, more and more elderly people will need care. This will have major impact on public policy, housing and the living environment for seniors. The Nobi lamp is designed to support elderly people living independently at home, but also in service flats or residential care facilities where the Nobi lamp can support the care staff in helping the elderly. The Nobi lamp aims to improve care and communication so that the elderly and their families can live more comfortably and safe.</p> <p>In order to achieve these objectives (care quality, care improvement and unburdening the healthcare industry), certain personal data of the elderly / Nobi-users need to be processed by the Nobi lamp (in order for it to function as intended, to notify when a vulnerable person has fallen).</p>
B.	<i>Link to any project documents (if any):</i>	[Agreement(s) with Nobi – other project documents]
C.	<i>Summarize why a DPIA is in your opinion necessary:</i>	<p>Under Article 35 GDPR and in accordance with the guidelines and recommendations of data protection authorities, including the EDPB and Belgian DPA, a DPIA must be carried out when there is large-scale processing of data generated by <i>IoT applications</i> such as <i>smart devices</i> or via new software or applications. The Nobi lamp is a smart device.</p> <p>Sensitive personal data, such as data regarding housing (the room), location data, behaviour (movement/falling) and</p>

		<p>sound (confirm or reject the fall), are systematically processed by Nobi, and is analysed through pattern/object recognition within the lamp itself.</p> <p>Additionally, and only if necessary in particular cases, health data (special category data) of the data subjects, who are a vulnerable group, are processed.</p> <p>The scope of the data processing, as to the number of data subjects can be large.</p> <p>The type of data, the nature, scope, context and purposes of the processing, is likely to result in a high risk to the (privacy) rights of the data subjects / Nobi-users (in particular the vulnerable adults) so a DPIA is necessary.</p>
4.	Describe the data processing	
A.	<u>Describe the nature of the processing.</u>	
	<i>How will the data be collected, used, stored and deleted?</i>	<p>Data is collected through (1) the Nobi app (application programming interface), (2) the lamp itself and (3) the platform (the software).</p> <p>Identification data and certain individual characteristics are entered in the Nobi app, that connects to the platform of Nobi.</p> <p>After installation and physical start up of the lamp, the lamp will take images of the room and process these images in the Nobi-lamp.</p> <p>Only in the event of an escalation (e.g. an image on which the lamp can detect a fall that is thereafter confirmed by voice), the image will be sent to a designated contact person (healthcare facility or family member) to ask for help. If the lamp does not detect a fall on the image, the image will be erased after 30 seconds and will never be sent to the cloud.</p>
	<i>What is the source of the data?</i>	<p>(1) The Nobi users (data subjects) who insert data manually in the app (residents/vulnerable adults, family members, contact person or caregivers), (2) the lamp that generates images, (3) and the smart devices that can be linked to the platform (f.e. a scale or a smart lock).</p>

	<p><i>Will the data be shared with anyone?</i></p>	<p>Certain data about the vulnerable adults/residents is shared with <u>designated</u> family members, contacts or the residential care facility where they reside or with their caregivers / healthcare personnel.</p> <p>Data is also shared with the alarm centre when necessary for escalation.</p>
	<p><i>Diagram / data flows:</i></p>	<p>Additionally, to be able to provide the functionalities of the lamp, data is shared with service providers, subcontractors or subprocessors of Nobi limited to and within the context of the Nobi services, such as IT or software partners with whom Nobi has signed strict agreements regarding data protection.</p>
	<p><i>What types of processing identified as likely high risk are involved?</i></p>	<p>The large-scale processing via the Nobi lamp as a <i>smart / IoT device</i> of health data of the data subjects as a vulnerable group.</p>
<p>B.</p>	<p><i>Describe the scope of the processing</i></p>	
	<p><u><i>Which data is collected?</i></u></p>	<p>The following personal data will be processed:</p> <ul style="list-style-type: none"> - identification data such as name, first name, address, e-mail address, telephone number; - electronic identification and localization data in the context of using the Nobi app, such as device data, browser, operating system, IP addresses, cookies, etc.; - patterns of movement (in/out of bed or in/out of room or fall/no fall); - any comments, messages, electronic communications, photos and other content that is posted or shared by

		<p>yourself via the Nobi app or that is processed in the context of certain functionalities of Nobi;</p> <ul style="list-style-type: none"> - financial data / payment data (in the context of the license fee); - personal characteristics (age, gender, date of birth); - physical data (weight/blood pressure), living habits (lifestyle (in/out of bed) and behaviour (walking/quiet), presence in the room, information about social contacts (visit/alone); - information about incidents or accidents (falls); - use of media (TV on in case of fall detection) and means of communication; - information regarding the composition of the family (living alone or not, children and/or relatives, familiar contacts to be notified in the event of a fall, care providers, etc.); - leisure activities (e.g. data on hobbies, sports, ..if practiced within the room and captured during fall); - property characteristics (address, nature of the property (own home or service flat or residential care centre), persons in possession of the key (if no smart lock); - image and sound recordings after detection of a fall (metadata only); - data of a highly personal nature, e.g. data on household and private activities, location data in the room (in/out) as well as data on behaviour (in bed/out of bed), movements within the room; - health data (information related to physical or mental health if necessary and proportional to the proper functioning of the Nobi lamp); - sensitive data, e.g. relevant data from the care file, if necessary and proportional for the proper functioning of the Nobi lamp.
	<p><i>Does it included special category data?</i></p>	<p>Yes, special category data will also be processed, namely health data and sensitive data of the vulnerable adult:</p> <ul style="list-style-type: none"> - Health data: data that is related to the physical or mental health of the vulnerable adult / Nobi-user and provide information about the state of health but <u>only</u> if <u>necessary / useful</u> in the context of the Nobi services and in accordance with the requirements of Article 9 GDPR. E.g. the fact that the vulnerable adult has diabetes, is a nightwalker / sleepwalker etc.; - Sensitive data: housing characteristics, location data, if relevant / necessary for the purposes of the Nobi

		services.
	<i>How much data will you be collecting and using?</i>	Data of each individual user, resident or vulnerable adult using the Nobi lamp (mainly: the elderly) as well as their designated family members and/or trusted contacts or caregivers / healthcare personnel or other data subjects such as friends, cleaning personnel or visitors (if they are e.g. captured on an image (coincidentally) in the room and only in case of a fall detection).
	<i>How often?</i>	<p>Through the use of the application platform :</p> <p>The identification data of the data subjects and of the persons that need to be alarmed are processed at onboarding, registration, integration and start-up as well as each time logging in (with each new data input) on the application interface.</p> <p>Through the use of the lamp :</p> <p>The Nobi-lamp will capture images on an ongoing basis.</p>
	<i>How long will you keep the data?</i>	<p>Identification data: as long as the Nobi lamp is used and as long as necessary for the purposes described in the agreement (provision of the services/license fee payments) and this DPIA.</p> <p>Regarding the use of the Nobi-lamp:</p> <p>1. Fall detection</p> <p>The images captured by the Nobi lamp are stored locally in the lamp itself for 30 seconds. Only if, as a result of analysis by the processor in the Nobi lamp, a fall incident is detected through object recognition on the image, a notification is sent to the designated contact person, whether or not (depending on the chosen privacy settings) together with the captured image.</p> <p>Only if the user has chosen to similarly send the image (full image or stick figure) in the event of a fall incident, the image will be stored for a maximum of 10 calendar days.</p> <p>2. Timeline</p> <p>If the Nobi-user chooses to enable the Timeline feature, all images throughout the day/night (with exception of the images when the person is in the bed) will be locally converted in the lamp to stick figure images, sent to the platform and stored for up to 10 calendar days. The original full images, used for the Timeline feature, are deleted within</p>

		<p>30 seconds and will not be transferred outside the lamp.</p> <p>3. Sleep</p> <p>The Nobi-lamp will register when a person is in or out of the bed. The images on which this data is based are stored locally in the Nobi-lamp for a maximum of 30 seconds. This helps the caretaker to evaluate how often a person gets up at night. The raw data of in/out of bed is kept until the end of use of the lamp.</p>
	<p><i>How many individuals are affected?</i></p> <p><i>What geographical area does it cover?</i></p>	<p>[...]</p> <p>[...]</p>
	<p><i>Are there any international transfers (is the data being transferred outside the EEA)?</i></p>	No
C.	<p><u>Describe the context of the processing</u></p>	
	<p><i>What is the nature of your relationship with the individuals?</i></p>	<p>The data subjects are Nobi-users or customers of Nobi who use and operate the Nobi lamp; mainly vulnerable adults, residents, family members, trusted contacts or caregivers / residential care facilities. Nobi can service directly the Nobi-user (b2c) or, if the customer of Nobi is a care facility, Nobi services the company or organisation (b2b).</p>
	<p><i>How much control will they have?</i></p>	<p>Through the privacy settings in the Nobi app the user can determine in advance and at any time which data will or will not be processed (f.e. full picture or stick figure picture) and which functionalities will be enabled or disabled. Evidently, if there is an objection to the processing of certain data, the user will not be able to use the Nobi lamp or certain functionalities or features of the Nobi lamp.</p> <p>The Nobi-user, resident, vulnerable adult and/or his or her designated family, caretakers or residential facility choose to use the Nobi lamp, install it or have it installed, and use and log into the application. In doing so, the Nobi-users are informed in advance and in detail about the data processing and its purposes by means of an easily accessible, understandable and clear privacy policy.</p>

		<p>For the processing of sensitive (such as health) data, informed consent is requested through a form. The consent can always be withdrawn at any time.</p> <p>Data subjects, including the Nobi-users, can always oppose to the processing of their data for any purposes if they have any justified reasons.</p> <p>Data subjects may also choose at any time to no longer use the Nobi lamp, as a result of which (personal) data will no longer be processed.</p>
	<p><i>Would they expect you to use their data in this way?</i></p>	<p>Yes. The data subjects are informed of the data processing activities in detail and in a transparent manner prior to the onboarding, installation and use of the Nobi lamp and services. The data processing purposes are clearly explained in a privacy policy that is concise, accessible and written in clear and simple language. In this regard, attention shall be paid to the fact that the data subjects are vulnerable adults and the information must be comprehensible to them (to the extent possible).</p> <p>It is possible, depending on the health conditions and the (in)ability of the vulnerable adult concerned, that he/she does not sufficiently or properly understand how and why his/her personal data is being processed (e.g. dementia-prone data subjects). Guidance/assistance from the family member, trusted contact or caregiver is essential in this regard. For example, it will often be the family member or caretaker who onboards, installs and sets up the app and the Nobi lamp. Nobi also asks in each case whether the Nobi-user is a resident or is acting on behalf of the resident. In the latter case, the individual must confirm and declare that they have acquired the informed consent of the resident/vulnerable person and have sufficiently informed him/her about the data processing activities.</p>
	<p><i>Do they include children or other vulnerable groups?</i></p> <p><i>Are there prior concerns over this type of processing or security flaws?</i></p>	<p>Yes, vulnerable adults.</p> <p>Given the nature of the personal data (sensitive, health) and of the data subjects (vulnerable adults), as well as the possible large-scale data processing via the Nobi lamp, we, the data controller, deems it necessary to carry out this DPIA and to take all necessary and appropriate measures</p>

	<p><i>Is it new in any way?</i></p> <p><i>What is the current state of technology in this area?</i></p> <p><i>Are there any current issues of public concern that you should factor in?</i></p> <p><i>Are you signed up to any approved code of conduct or certification scheme (once any have been approved)?</i></p>	<p>regarding the transparent and secure processing of such personal data.</p> <p>No. There are already other similar <i>smart devices</i> on the market that perform similar data processing activities for similar purposes.</p> <p>[...]</p> <p>No.</p> <p>[...]</p>
D.	<p><u>Describe the purposes of the processing</u></p>	
	<p><i>What do you want to achieve?</i></p>	<p>We want to ensure that our vulnerable adults can live in their homes or residents for as long as possible. The Nobi smart lamp should provide peace of mind so that the vulnerable adults and their families or trusted contacts feel comfortable and safe. With the Nobi lamp, falls or other incidents can be detected efficiently and indicated family and/or healthcare personnel can be contacted quickly to improve care and communication.</p>
	<p><i>What is the intended effect on individuals and what are the benefits of the processing for you, and more broadly?</i></p>	<p>The data subjects (vulnerable adults) are assisted more quickly in case of a fall and can be followed up more easily and efficiently via the smart lamp, allowing them to live longer in their desired home (privacy residence, service apartment or residential care facility). The relatives and/or healthcare personnel involved also benefit because the care improves and the vulnerable adults can live with less risks and more comfortable. Certain problems can be detected more quickly by pattern recognition.</p>
<p>5. Consultation process with relevant stakeholders</p>		

A.	<i>Describe when and how you will seek individuals' view e.g. surveys or studies) – or justify why it's not appropriate to do so.</i>	In the context of pilot projects of our service provider Nobli, the opinions of data subjects such as vulnerable adults, family members, trusted contacts and caretakers were sought through consultations.
B.	<i>Who else do you need to involve within your organisation?</i>	Besides the Nobli-user / vulnerable person, designated family members, trusted contacts, caretakers : any other relevant stakeholder.
C.	<i>Do you need to ask your data processors to assist?</i>	Yes, Nobli (data processor) and, if necessary, sub-processors of Nobli.
D.	<i>Do you plan to consult information security experts, or any other experts?</i>	If needed, additional information can be provided by the Data Protection Officer of Nobli or through consultation with our Data Protection Officer of legal and information security experts.

STEP II. ASSESS NECESSITY AND PROPORTIONALITY		
1.	Describe compliance and proportionality measures	
A.	<i>What is your lawful basis for processing?</i>	
	<p>Category 1</p> <ul style="list-style-type: none"> - Identification data - Financial data for license fee - Personal characteristics - Living habits (in/out bed) - Housing characteristics - Family situation - Image / voice recordings <p>Category 2</p> <ul style="list-style-type: none"> - Health data: data that relates to the 	<p>Category 1</p> <p>The data in category one is processed based on the preparation and execution of the agreement (user agreement / license agreement) with the data subject(s) (if any).</p> <p>For the data subjects who do not contract directly with Nobli, the processing of the data in category 1 is based on the legitimate interests of Nobli (unless (privacy) rights of data subjects would outweigh these interests).</p> <p>Category 2</p> <p>Based on consent. That consent will be requested</p>

	<p>physical (weight/blood pressure) or mental health which provides information about the health status of the elderly (night walker, ..)</p> <ul style="list-style-type: none"> - Image / voice recordings (when includes sensitive data) - Non-essential cookies via application 	<p>and obtained through the Nobi app or a physical consent form where additional information will be provided about the processing of such data and its purposes.</p>
B.	<i>Does the processing actually achieve your purpose?</i>	Yes.
C.	<i>Is there another way to achieve the same outcome?</i>	No. Another alternative could be that only human supervision is provided, which remains necessary in addition to the use of Nobi, but which does not allow the same large group of people to be reached and the same rapid and targeted action to be taken.
D.	<i>How will you prevent function creep?</i>	<p>By making sure that Nobi and our organisation take all appropriate security measures to secure the data and data processing (security by design).</p> <p>Nobi is designed that no information can be used for any other/wider purpose than for which the data subject has given his/her consent (privacy by design).</p>
E.	<i>How will you ensure data quality and data minimisation?</i>	<p>By indicating to the Nobi-user which data is really necessary for the use of the Nobi services and which data is optional.</p> <p>We only process personal data that is necessary for the purposes as determined in the agreement with Nobi and this DPIA. Insofar as personal data is processed, it concerns strongly minimized personal data (photo reduced to sticks when chosen in privacy settings). Data that we or Nobi do not need in the context of these purposes will not be processed or will be anonymized and/or deleted.</p> <p>The processed data is kept up-to-date. Incorrect or outdated data are corrected or updated.</p>

		<p>Finally, if the data subject does not want his/her personal, sensitive and/or health data to be processed, he/she is able to withdraw his/her consent. This is, in an accessible way, incorporated into the privacy settings of the app (privacy by design). Evidently, it is possible that the Nobi lamp or certain functionalities cannot be used, or only to a limited extent, when the necessary consents to process data are not given/withdrawn.</p>
F.	<p><i>What information will you give individuals?</i></p>	<p>Before the Nobi-user or the resident / vulnerable adult is onboarded and the Nobi lamp and the application are put into use, a privacy policy shall be made available and permanently accessible in the online environment of the Nobi app that provides all details about the Nobi lamp, the application and the associated data processing activities and their purposes, including the following information:</p> <ul style="list-style-type: none"> - Contact details of [the data controller] and [Data Protection Officer]. - Categories of data processed. - The purposes and means of the processing. - The legal grounds for processing. - Third parties, service providers / processors processing the data (besides Nobi). - The retention periods. - The rights of the data subjects.
G.	<p><i>How will you help to support their rights?</i></p>	<p>The human dignity of the data subjects must always be taken into account. Data of a highly personal nature, sensitive data and health data may therefore only be processed on the basis of the explicit and informed consent of the vulnerable adult and/or family or trusted person(s) and only for the purposes described above (in particular care and assistance in the interest of the vulnerable adult).</p> <p>The privacy policy lists all the rights of the data subjects and explains them in an understandable language.</p> <p>Emphasis is placed on the right to withdraw</p>

		<p>consent for processing certain data such as health data and sensitive data and the consequences of doing so. This is also provided in the user interface on the application. The data subject (both the vulnerable adult and his/her relatives and/or healthcare personnel) can contact us at any time.</p> <p>Contact details of the (Belgian) Data Protection Authority are also provided should the user / data subject wish to lodge a complaint.</p> <p>Requests to exercise the rights of data subjects will always be answered in a timely manner and in accordance with our policies for handling such requests. If necessary, assistance will be provided by Nobi in accordance with the terms of the data processing agreement we have with Nobi.</p>
H.	<p><i>What measures do you take to ensure processors comply?</i></p>	<p>Various appropriate technical and organizational security measures have been taken.</p> <p>With our processors, such as Nobi, we conclude a data processing agreement in accordance with Article 28.3 GDPR. We also assess the security measures to be taken by the processors such as Nobi as listed in the data processing agreement.</p> <p>We also impose a confidentiality obligation on the processors, such as Nobi, as well as the obligation to guarantee the same with regard to their staff, employees and contractors.</p>
I.	<p><i>Is the processing of the data proportionate to the processing purposes ?</i></p>	<p>Yes, a fall by a vulnerable adult can very easily lead to a serious infection or even death, people can no longer live the life they used to and experience also the psychological consequences. Time is a very important factor here: the sooner a fall can be detected, the better and more effectively the risk of complications can be combated. The use of modern digital resources such as Nobi is therefore necessary and proportional and fits within the context of vital interest.</p>

J.	<i>How do you safeguard any international transfers?</i>	<p>Not applicable.</p> <p>If there would be any international transfer, we should conduct a data transfer impact assessment (DTIA) and take all necessary measures to comply (in accordance with Article 46 and beyond of the GDPR), but in the context of the data processing through the Nobi lamp, there are no international transfers.</p>
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STEP III. IDENTIFY AND ASSESS RISKS AND MEASURES			
<p>Likelihood it materializes High – It is highly probable or <u>certain</u> that the risk will materialize Medium – It is <u>conceivable</u> that this risk will materialize Low – This risk is <u>unlikely</u> to materialize</p> <p>Severity of harm High – The consequences for the persons involved <u>severely affect</u> the lives of the persons involved Medium – The consequences for the data subject have a <u>limited impact</u> on the life of the data subject when the risk materialises Low – The consequences for the person concerned have little or <u>negligible impact</u> on the person's life if the risk materializes</p>			
1.	Describe the risk and the potential impact on individuals	Likelihood it materializes	Severity of harm
A.	<p>Risk : consent not "freely" given</p> <p>Highly personal data, health data and sensitive data (as defined above) are processed for the purposes of using the Nobi lamp.</p> <p>We ask for the explicit and informed <u>consent</u> of the data subject for the processing of this data in accordance with the GDPR requirements, but the question is whether the consent of certain vulnerable adults - <i>who may and despite the information provided by Nobi about the data processing do not fully understand what data of him/her is being processed, in what way and for what purposes</i> - is or can be freely given.</p> <p>The consent formally given by the vulnerable adult / resident, <i>whether through a family member, contact person or caregiver or not</i>, may not be "freely" given due to his/her state of health, particularly in cases where the Nobi lamps are offered by residential care facilities on which the vulnerable adult / resident</p>	Medium, conceivable.	Medium, limited impact.

	depends for housing.		
B.	<p>Risk : the data subject may not be able to adequately exercise his/her rights</p> <p>The possible limitation, or impossibility for the vulnerable adult to operate the smart device via the application (on a mobile device) should be taken into account, <u>depending on his/her state of health and (in)ability</u>. In that respect it is possible that the vulnerable adult in question does not fully understand how his/her data is processed through the smart device and may not be able to adequately exercise his/her rights : right to access / rectification / deletion. Some may have difficulties to see and amend their personal data within the application.</p>	Medium, conceivable.	Medium, limited impact.
C.	<p>Risk : Inadvertent data collection</p> <p>If the Nobi lamp records continuously (or before/after/more than when it detects a fall), it may lead to the processing of other data, activities or information that are not relevant to the fall detection process. This can lead to inadvertent exposure of personal or sensitive information.</p>	Low	Medium
D.	<p>Risk : Transfer of sensitive/health data to third parties who do not have the required privacy standards or confidentiality</p> <p>The data, captured by the Nobi-app and by the Nobi device (IoT application), will be transferred to Nobi, who will process the data.</p> <p>Certain data (f.e. stick figure picture) about the vulnerable adult will then be shared with their family members, contacts, the residential care facility where they reside or with their caregivers / healthcare personnel. Data is also shared with the alarm centre when necessary for escalation. Additionally, the Nobi-user, appointed family members or contacts can access the Nobi platform to consult the data captured by the Nobi lamp.</p> <p>Additionally, data is shared with service providers, subcontractors or subprocessors of Nobi, such as IT or software partners, hosting providers etc. within the context and limits (minimization) to be able to provide the service.</p>	Low	Low
E.	<p>Risk : Loss of control over the data, loss of data or inoperability of the services</p>	Low	Low

	<p>The vulnerable adult will rely on Nobi to ask for help in case of a fall. The data and the transfer of data in case of a fall, relies on the services, back-ups, databases and servers of Nobi. The family member, contact or the residential care facility will receive or needs to access the Nobi platform to consult the data available to analyse if help is needed (<u>availability failure risk</u> when the platform is down). If the data is not transferred, <u>due to the inoperability of the server</u>, the receiver will not be notified of the fall or data will be lost.</p>			
F.	<p>Risk : Data breaches or other security incidents</p> <p>Due to human error (e.g. sending an email with data to the wrong person) or intentional/malicious act (e.g. hacking or theft of IT equipment) data breaches or security incidents can occur.</p>	Low	Low	
<p>2. Identify measures to reduce or eliminate risks:</p>				
A.	<p>Risk : consent not “freely” given</p> <p>Measures to reduce or eliminate risk:</p> <p>We adapt the information to a clear and understandable language.</p> <p>We provide a <u>clear and in simple language</u> informed consent form, together with a clearly written privacy policy about the data processing, in an appropriate range of languages for the target group (as legally required).</p> <p>We provide <u>straightforward short-movies</u> that explain in plain images how Nobi works.</p> <p>We provide guidance and <u>sensibilisation</u> campaigns, together with Nobi, to inform the Nobi-user about the processing.</p> <p>The onboarding and installation of the smart device requires explicit consent. The vulnerable adults who are unable or incapable of entering into a user agreement with Nobi, will need to be represented by his/her family members, trusted contacts, and/or (our) caregivers or healthcare personnel, and are made <u>aware</u> by us that they give their consent for the vulnerable adult.</p>	<p>Effect on risk</p> <p>Not eliminated, but limited</p>	<p>Residual risk</p> <p>Low</p>	<p>Measure approved</p> <p>Yes, risk sufficiently mitigated</p>

<p>B.</p>	<p>Risk : the data subject may not be able to adequately exercise his/her rights due to his/her state of health</p> <p>Measures to reduce or eliminate risk:</p> <p>We and Nobi take <u>transparency and user control</u> as one of our priorities.</p> <p>The application is <u>designed as user-friendly</u> as possible to be able to exercise his/her rights (privacy by design). Nobi ensures that the Nobi-user is provided with a physical folder written in a very accessible way to give information how Nobi will help in their request for insight in their data / rectification / deletion rights.</p>	<p>Effect on risk</p> <p>Not eliminated, but limited</p>	<p>Residual risk</p> <p>Low</p>	<p>Measure approved</p> <p>Yes, risk sufficiently mitigated</p>
<p>C.</p>	<p>Risk : Inadvertent data collection</p> <p>Measures to reduce or eliminate risk:</p> <p>The Nobi software is based on advanced fall detection <u>algorithms</u> specifically focused on detecting fall incidents. These algorithms are based on object, pose and pattern recognition, and other relevant signals indicative of a fall and are on top of the current state of technology.</p> <p>A double-step system before the data is transferred has been implemented. The images are processed on the lamp itself (Step 1). In the situation that the Nobi-lamp detects a fall, it will ask if a fall has occurred. Only in the situation that there is no unequivocal 'no' reply, the images are transferred to Nobi (Step 2).</p> <p>Adjustment of sensitivity: Nobi is provided with a <u>high sensitivity setting</u>. This allows to determine how strict the fall detection should be. By fine-tuning these, unnecessary activation of the optical sensor is prevented.</p>	<p>Effect on risk</p> <p>Not eliminated, but limited</p>	<p>Residual risk</p> <p>Low</p>	<p>Measure approved</p> <p>Yes, risk sufficiently mitigated</p>
<p>D.</p>	<p>Risk : Transfer of data to third parties</p> <p>Measures to reduce or eliminate risk:</p>	<p>Effect on risk</p>	<p>Residual risk</p>	<p>Measure approved</p>

	<p>We only share personal information with other organizations or authorities if a <u>specific legal basis</u> exists (consent, public interest etc.)</p> <p>Additionally, we only share personal information with other organizations or authorities, such as for our processor Nobi, only if they observe <u>adequate data protection</u> to at least the same privacy standard and within the necessity of the service.</p> <p>Nobi also has an <u>IT policy</u> for its employees regarding the storage, access and transfer of data outside the company premises and/or over open networks.</p> <p>We and our processor Nobi will implement the necessary <u>technical security measures</u> to prevent third parties or other users/customers from accessing customer/user data through the application.</p> <p>Transfer or exchange of data outside the Nobi network (portal) is always secured by means of <u>encryption</u>. Nobi always uses a secure connection such as SFTP, HTTPS, SSH and AMQPS for transmission outside the internal network.</p>	Not eliminated, but limited	Low	Yes, risk sufficiently mitigated
E.	<p>Risk : Loss of control over the data, loss of access to the data or inoperability of the services provided</p> <p>Measures to reduce or eliminate risk:</p> <p>Appropriate security measurements are taken (privacy by design):</p> <ul style="list-style-type: none"> - Redundant data storage (By storing data across multiple servers and using backup systems, Nobi ensures that data remains accessible even if one storage location fails.); - Regular backups routines; - Error monitoring and alerts (monitoring errors and issues that may affect data access. This includes setting up alerts or 	Effect on risk Not eliminated, but limited	Residual risk Low	Measure approved Yes, risk sufficiently mitigated

	<p>notifications to promptly notify administrators or technical staff about any problems with data storage or accessibility.);</p> <ul style="list-style-type: none"> - Data encryption. <p>Robust maintenance and testing: Nobli regularly performs maintenance and testing of the software and storage infrastructure are crucial to identify and address any potential vulnerabilities or issues. Nobli conducts routine checks, updates, and system tests to ensure optimal performance and minimize the risk of data loss or inoperability.</p>			
<p>F.</p>	<p>Risk : Data breaches or other security incidents</p> <p>Measures to reduce or eliminate risk:</p> <p>We will individually designate the persons (staff or contractors) who have access to the personal data of the Nobli-users and impose strict obligations (incl. <u>confidentiality commitments</u>) and policies.</p> <p>Every employee of Nobli is bound by confidentiality obligations provided for in the agreements (employment contract or self-employed service agreement).</p> <p>Nobli lives up to its extensive <u>Security Policy</u> that applies to all information resources, systems, networks, environments and assets of Nobli as well as to employees, customers, users, partners, service providers or other parties involved.</p> <p>Nobli appeals upon ethical hacking to have white hats perform penetration testing to avoid any vulnerabilities or weaknesses during the process.</p> <p><u>Specifically for data breaches</u>, Nobli has an internal policy for handling and possible notification of data breaches (with guidelines for risk assessment) as well as an internal data breach log. This policy contains a precise</p>	<p>Effect on risk</p> <p>Not eliminated, but limited</p>	<p>Residual risk</p> <p>Low</p>	<p>Measure approved</p> <p>Yes, risk sufficiently mitigated</p>

	<p>description of the steps to be taken when a security incident or data breach involving personal data is detected, as well as the persons responsible for handling the incident (at technical level and at management level), and their contact details.</p> <p>We and Nobi established procedures to:</p> <ul style="list-style-type: none"> - determine when and how often personal information should be reviewed and/or updated and when data should be deleted or archived; - a process of quality control to minimize errors or unauthorized modifications prior to recording the data; - a procedure to notify the Nobi-user of subsequent corrections to the his/her data; - encourage (warn) employees to avoid use of unsecured portable storage devices, such as memory sticks; - prevent unnecessary data collection, such as minimizing the storage of personal data and using encryption for data transfer; - encrypting the stored data and ensuring secure communication channels. <p>Users only have access to that portion of data they need to carry out their legitimate functions (internal with us and/or processors of Nobi) and/or their action needed (the caretaker that receives the stick figures picture).</p> <p>By taking these measures, Nobi mitigates the risk of unauthorized access or data breaches.</p>			
3.	Procedural steps / prior consultation?			
	None.	After conducting this DPIA, it does not appear that the data processing in the context of the Nobi services effectively poses high residual risks. According to us, our experts and Nobi, there are rather limited residual risks and it is not necessary to consult the Data Protection Authority on this in advance (within the meaning of		

		Article 36 GDPR).
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STEP IV. CONCLUSION - OUTCOMES	
<p>Is the final impact on the individuals / data subjects a necessary and proportionate way of achieving the purposes?</p>	<p>Yes, it is.</p>

STEP V. APPROVAL - REPORTING	
<p>Measure approved by:</p> <p style="padding-left: 20px;">Residual risks approved by:</p> <p style="padding-left: 20px;">Notes:</p> <p style="padding-left: 20px;">Responses to consultations reviewed by:</p> <p style="padding-left: 20px;">Notes:</p>	<p>[...]</p> <p>[...]</p> <p>[...]</p> <p>[...]</p> <p>[...]</p>
<p>This DPIA will be periodically reviewed and re-evaluated by</p>	<p>[...]</p>

EXHIBITS:

[...]