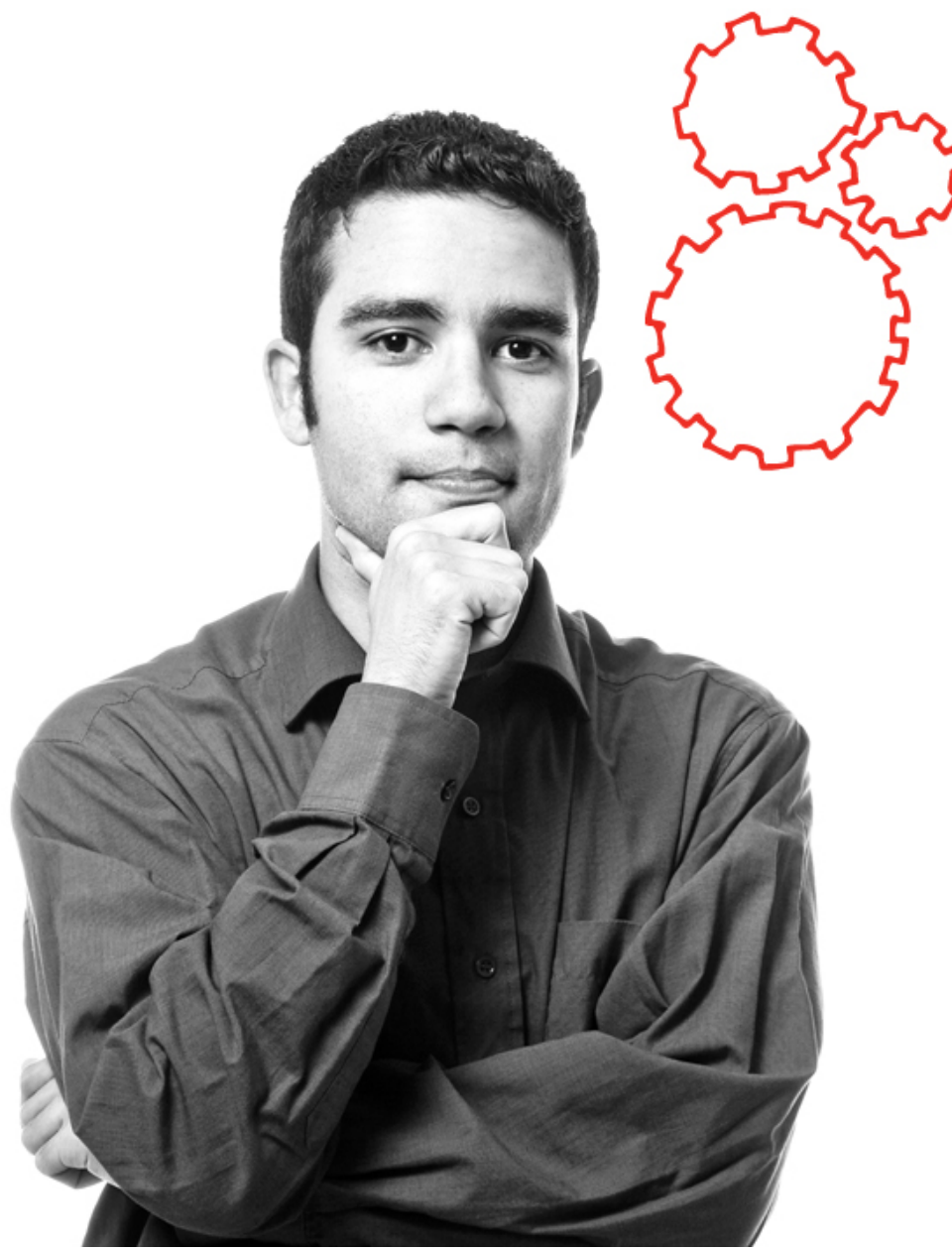


Privacy Policy

April, 2018



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1.0 Purpose

This document sets out Logicalis Group policy on privacy and data protection. It provides global guidelines on the processing of personal information belonging to employees as well as clients or customers. The policy sets out to uphold data subjects' privacy rights, in line with the Logicalis code of conduct, as well as with relevant and applicable legislation for the countries that it operates in.

This document has been updated to reflect the provisions and obligations set out in the European Union's General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679). In addition to the principles outlined in this policy, Logicalis Group entities must take into account domestic legislation in their processing of personal data.

This data protection policy aims to ensure that all Logicalis Group entities, affiliates, employees and contractors:

- Comply with Logicalis Group Policy, data protection law and follow good privacy practices
- Protect the privacy rights of data subjects whose data they have been entrusted with
- Are lawful, fair and transparent about how they process individuals' personal data
- Collect personal data for specified, explicit and legitimate purposes and not further process them in a manner that is incompatible with those purposes
- Ensure personal data is relevant and limited to the minimum necessary in relation to the purposes
- Ensure personal data are accurate, kept up to date where necessary and ensure inaccurate data are erased or rectified without delay
- Keep personal data in a form that identifies individuals for no longer than necessary
- Process personal data securely, protecting it against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures
- Reduce the risk and potential impact of data breaches to acceptable levels

1.1 Definitions

Personal Data – information which, either directly or indirectly, can be used to identify a living individual or natural person.

Sensitive Personal Data / Special Categories of Personal Data – information that can be particularly sensitive to an individual and needs specific protection, as processing that data could create significant risks to their fundamental rights and freedoms.

Examples of special categories of data: racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a person's sex life or sexual orientation.

Data Controller – a natural or legal person, public authority, agency or other body which determines the purposes and means of the processing of personal data.

Data Processor – a natural or legal person, public authority, agency or other body which processes personal data on behalf of the Data Controller

Data Subject – the living individual to whom the personal data relates, an identified or identifiable natural person.

Data Processing Agreement – an agreement in writing between two or more parties defining their responsibilities and obligations in relation to the processing of personal data. This may be a stand-alone agreement, or may consist of data protection related terms and conditions integrated into a broader contract or service agreement.

Data Protection Officer - A person appointed by the Logicalis Group to:

- inform and advise the organisation and its employees of their obligations pursuant to Data Protection law
- monitor compliance with Data Protection Law and Group policy in relation to the protection of personal data, assigning responsibilities, training and awareness of staff involved in processing operations, monitoring related audits
- to provide advice where requested as regards data protection impact assessments
- to cooperate with the supervisory authority
- to act as the contact point for the supervisory authority on issues relating to processing

Fair Processing Notice / Privacy Notice – a notice containing standard information provided to the data subject, required by data protection law, including: the identity and contact details of the data controller and its data protection officer, the purposes for processing the personal data and the legal basis for processing, any recipients of the personal data, information about international data transfers, how long the personal data will be stored for, information on the rights of the data subject.

Logicalis – Logicalis Group companies and their affiliated operating entities

1.2 Scope

This policy applies to:

- Logicalis Group and all its affiliate companies within the group
- All staff and volunteers of Logicalis Group and its subsidiary/affiliate companies
- All contractors, suppliers and other people working on behalf of Logicalis

This Policy applies to all Personal Data collected, processed and stored by Logicalis Group entities in relation to their staff, service providers and clients in the course of their activities.

The policy applies to personal data in both electronic and paper or 'hard copy' format.

Failure to adhere to the terms of this policy may result in the application of the Company's disciplinary procedures.

Failure by a contractor or 3rd party providing services to Logicalis to adhere to the terms of this policy may be considered a breach of contract, which will be pursued legally if required.

2.0 Data Management

Logicalis acts both as a Data Controller and Data Processor. As a Data Controller Logicalis is primarily responsible for employee data and customer contact information, which may be processed in systems managing Human Resources and Payroll operations, Customer Relationship Management (CRM) and IT Service Management functions.

As providers of Information Technology (IT) solutions and managed services, Logicalis entities are likely to be involved personal data processing, including in some cases sensitive personal data.

In order to support the objective of this policy it is required that our responsibilities as a data controller and processor are clearly understood. In order to do this, Logicalis will maintain a detailed record of personal data processing activities, as mandated by data protection legislation and this Group Policy.

In accordance with this Policy, as both Data Controller and Data Processor, Logicalis will ensure that all personal data shall be processed in compliance with the following principles as set out below:

Lawfulness, fairness and transparency / purpose limitation

Personal Data shall be processed fairly, lawfully and transparently and collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes

The data subject will, at the time the data are being collected, be made aware of:

- the identity and contact details of the data controller and its data protection officer
- the purposes for processing the personal data
- the lawful basis for processing the personal data
- any recipients of the personal data
- information about international data transfers
- how long the personal data will be kept for
- information about their rights as a data subject
- any other applicable information according to data protection legislation

As a Data Controller, where Logicalis determines the purpose and means for processing the personal data (such as in its capacity as an employer):

- Logicalis entities will ensure that data processing takes place under lawful processing conditions, such as the performance of a contract, a legal obligation, legitimate interest or consent.
- Logicalis shall implement appropriate technical and organisational measures, taking into account nature, scope, context and purposes of processing as well as the risks of varying likelihood and severity to safeguard the rights and freedoms of data subjects.
- Where Logicalis intends to record activity on CCTV, video, or voice recording a Fair Processing Notice will be posted in an appropriate location or narrated, as applicable.
- The data subject's data will not be disclosed to a third party unless a written contract governs the processing and sufficient guarantees are in place to implement appropriate technical and organisational measures so that processing will meet the requirements of data protection law and ensure the protection of the rights of the data subject.

As Data Processor, where Logicalis processes personal data under instructions from a data controller (such as a client to whom Logicalis provides IT services):

- Logicalis entities will process the personal data of client organisations within the terms of a written contract (the Data Processor Agreement), setting out the subject-matter and duration of the processing, the nature and purpose of the processing, the type of personal data and categories of data subjects and the obligations and rights of the controller.
- The Logicalis entity will ensure that any sub-contractor engaged for the purposes of providing these services will, in turn, only provide such services within the terms of a formal, written contract which replicates the parameters and constraints set out in the Data Processor Agreement and only with the authority of the data controller.

Data minimisation

Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

- Logicalis entities will ensure the principle of data minimisation is applied in personal data processing operations by using only the minimum data necessary for the specified processing purpose(s).

Data accuracy

Personal data shall be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.

Logicalis will:

- implement practices and processes to ensure that personal information is accurate, complete and up to date to the extent necessary for the purposes of use to minimise the possibility that inappropriate or inaccurate information is used in data processing operations
- conduct periodic reviews and audits to ensure that relevant data is kept accurate and up-to-date
- ensure that personal data belonging to employees are reviewed and updated on a regular basis

Storage limitation

Personal data shall not be kept for longer than is necessary in order to satisfy the specified purpose(s).

As Data Controller, Logicalis shall:

- keep personal data in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed, or as required by local law;
- Dispose of personal information when they reach the end of their specified retention periods or are no longer needed to fulfil the stated purposes, and as mandated by legal requirements using an appropriate secure destruction and disposal method.

As Data Processor, Logicalis shall comply with the Data Controller's instructions regarding data retention and disposal as documented in the relevant Data Processing Agreement(s).

Integrity and confidentiality

Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures

Taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk of varying likelihood and severity for the rights and freedoms of natural persons, both as Data Controller and under instruction from the Data Controller as Data Processor, Logicalis shall implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk, including, as appropriate:

- implementing security measures that take into account relevant information security policies, standards and best practice;
- the pseudonymisation and encryption of personal data;
- the ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services;
- the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident;
- a process for regularly testing, assessing and evaluating the effectiveness of technical and organisational measures for ensuring the security of the processing;
- In assessing the appropriate level of security account shall be taken in particular of the risks that are presented by processing, in particular from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed;
- As a controller and processor Logicalis entities shall take steps to ensure that any natural person acting under the authority of the controller or the processor who has access to personal data does not process them except on instructions from the controller, unless required by local law.

Accountability

Logicalis shall demonstrate accountability in the processing of personal data.

Logicalis will show it is taking its data protection responsibilities seriously by:

- Documenting the organisation's data processing activities, both in its capacity as a Data Controller and Data Processor
- Conducting Privacy Impact Assessments where changes to the processing may introduce risks to the rights and freedoms of data subjects;
- Implementing Breach Notification procedures by which personal data breaches will be notified to the Supervisory Authority within the mandatory timescales
- Documenting data management policies to govern personal data processing including requirements for the training and awareness of staff and sub-contractors in this regard;
- Appointing a Group Data Protection Officer (DPO) and Data Protection Champions to ensure these policies are enforced, and carry out regular compliance monitoring;

Commercially Sensitive

3.0 Upholding data subjects' rights

Logicalis is committed to upholding the rights of data subjects and helping them to exercise these rights.

Logicalis will communicate with data subjects in a concise, transparent, intelligible and easily accessible form, using clear and plain language.

Logicalis shall respond to all requests submitted by data subjects when exercising their rights.

In the event where Logicalis is acting as a data processor, it will pass on any requests from data subjects exercising their rights to the relevant data controller in a timely manner. Logicalis will then proceed with the request as directed by the Data Controller and according to local service provision agreements and fees.

Logicalis entities will ensure that requests from data subjects when exercising their rights are processed without undue delay, within the required timescales and ensuring the Data Protection Officer is kept informed.

- Where requests are received from third parties, e.g. from solicitors, staff should check the validity of the request before notifying the Data Protection Officer.
- The Data Protection Officer must be notified about all requests for disclosure of personal information.
- The Data Protection Officer will record the request and notify the respective Service Manager(s) connected with the case.
- The organisation will respond to data subjects without undue delay and in any event within one month of receipt of the request. Where it appears likely that the Logicalis will be unable to respond in this time-frame, this will be communicated to the data subject within one month together with the reasons for the delay.
- Any grounds for refusing to an access request will be reviewed by the Data Protection Officer, such as where a request is manifestly unfounded or excessive.

Right of access by the data subject

Where Logicalis is acting as a data controller, a data subject shall have the right to obtain confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and the following information:

- the purposes of the processing;
- the categories of personal data concerned;
- the recipients or categories of recipient to whom the personal data have been or will be disclosed, in particular recipients in third countries or international organisations;
- where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;

- the existence of the right to request from the controller rectification or erasure of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- the right to lodge a complaint with a supervisory authority;
- where the personal data are not collected from the data subject, any available information as to their source;
- the existence of automated decision-making, including profiling, and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.
- Where personal data are transferred to a third country or to an international organisation, the data subject shall have the right to be informed of the appropriate safeguards relating to the transfer.
- Logicalis shall provide a copy of the personal data undergoing processing. For any further copies requested by the data subject, Logicalis may charge a reasonable fee based on administrative costs. Where the data subject makes the request by electronic means, and unless otherwise requested by the data subject, the information shall be provided in a commonly used electronic form.

If an individual contacts the company requesting the above information, this is called a 'subject access request'.

Subject access requests from individuals should be submitted by email, addressed to the nominated Logicalis representative within each Logicalis entity (as set out in local operating procedures) or directly to the Group Data Protection Officer at dpo@logicalis.com.

Logicalis will ensure it has verified the identity of anyone making a subject access request before providing any information.

Right to rectification

Where Logicalis is acting as a data controller, the data subject shall have the right to obtain from Logicalis without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

Right to Erasure ('right to be forgotten')

Where Logicalis is acting as a data controller, the data subject shall have the right to obtain from Logicalis the erasure of personal data concerning him or her without undue delay and the controller shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- the data subject withdraws consent on which the processing is based and where there is no other legal ground for the processing;
- the data subject objects to the processing and there are no overriding legitimate grounds for the processing

- the personal data have been unlawfully processed;
- the personal data have to be erased for compliance with a legal obligation to which the controller is subject;

Where Logicalis has an overriding or current legal obligation to retain such information or when it is needed for the establishment, exercise or defence of legal claims, the organisation will inform the requestor of this fact, and will continue to retain such information until the legal obligation has been satisfied.

Right to Restriction of Processing

Where Logicalis is acting as a data controller, the data subject shall have the right to obtain from Logicalis restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims;
- the data subject has objected to processing pending the verification whether the legitimate grounds of the controller override those of the data subject.

Right to data portability

Where Logicalis is acting as a data controller, the data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to Logicalis, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller without hindrance, where the processing is based on consent or on a contract and the processing is carried out by automated means.

In exercising his or her right to data portability the data subject shall have the right to have the personal data transmitted directly from Logicalis to another data controller, where technically feasible.

Right to object

Where Logicalis is acting as a data controller, the data subject shall have the right to object to processing of personal data concerning him or her on the basis of legitimate interests, including profiling. Logicalis shall no longer process the personal data unless compelling legitimate grounds exist for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.

Where the data subject objects to processing for direct marketing purposes, the personal data shall no longer be processed for such purposes.

4.0 Data processors

When work is outsourced which involves the contracted organisation (data processor) processing personal data, there must be a suitable written contract (data processing agreement) or other legal act in place, that is binding on the processor with regard to Logicalis and that sets out the subject-matter and duration of the processing, the nature and purpose of the processing, the type of personal data and categories of data subjects and the obligations and rights of the controller. The contract shall stipulate, in particular, that the processor:

- processes the personal data only on documented instructions from Logicalis, including with regard to transfers of personal data to a third country or an international organisation
- ensures that persons authorised to process the personal data have an obligation to confidentiality;
- takes all measures required to processed data in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures;
- does not engage another processor without the prior specific or general written authorisation of Logicalis and assists the Logicalis by appropriate technical and organisational measures, for the fulfilment of requests for exercising the data subject's rights;
- assists Logicalis in ensuring compliance with the relevant data processor obligations including data breach reporting and notification;
- at the choice of the Logicalis, deletes or returns all the personal data after the end of the provision of services relating to processing, and deletes existing copies;
- makes available to the controller all information necessary to demonstrate compliance with the obligations laid down in this Article and allow for and contribute to audits, including inspections, conducted by the controller or another auditor mandated by the controller.

Logicalis will only engage processors providing sufficient guarantees to implement appropriate technical and organisational measures in such a manner that processing will meet the requirements of data protection law and ensure the protection of the rights of the data subject.

Logicalis will implement governance and risk management processes and apply contractual, administrative and audit measures to ensure the appropriate protections and use of personal information and sensitive information that are transferred to, maintained, processed, controlled and/or accessible by all associated third parties.

Logicalis will require all third parties with any type of access to personal information and sensitive information to report personal data breaches in a timely manner to the data controller without undue delay and no later than 24 hours.

5.0 Staff Induction and Training

Logicalis staff and sub-contractors must complete induction training within three months of commencing their term of employment with the organisation.

Training will include the following Logicalis courses:

- “The Way We Do Business” – Code of Conduct
- Information Security
- Data Protection

All staff and contractors will review and sign a Non-Disclosure Agreement, which may form part of their contract of employment or a separate data processing contract outlining their commitment to maintaining the confidentiality and integrity of their own data as well as any client data they may come into contact with while they are working at Logicalis.

6.0 Data Disclosure Process

In certain circumstances under law, personal data may be disclosed without the consent of the data subject, for example to law enforcement agencies.

Under these circumstances, Logicalis will disclose only the minimum set of data necessary to satisfy the request. Logicalis will first ensure the request is valid and legitimate, seeking assistance from the board and from the company’s legal advisers where necessary.

As a Data Controller, Logicalis will first establish the identity and authority of the requestor, and once satisfied, will provide the minimum set of data necessary to satisfy any legitimate disclosure requests.

As a Data Processor, the Logicalis entity will refer any such disclosure request to the Data Controller. Logicalis will only act upon such requests once the Data Controller approves the request, and provides Logicalis instructions on how to proceed. In certain circumstances, such as for the detection and prevention of crime, it may be a legal requirement not to disclose a request to the data controller – in these cases seeking assistance from the board and from the company’s legal advisers may be necessary.

Logicalis will endeavour to respond to legitimate requests without delay, thereby protecting the client from any adverse reputational damage which may result from a complaint to the Supervisory Authority in their respective jurisdiction.

7.0 Policy Owner & Escalation Point

Job Title of Policy Owner	Data Protection Officer
Contact Details	dpo@logicalis.com

8.0 Document Control and Information

Date	Version	What Has Changed/Reason for Change
26/04/2018	1.0	Release of Privacy Policy

Confidentiality Statement

The contents of this document are confidential and proprietary to Logicalis. This document is submitted on the condition that the customer does not disclose the information contained herein to any third party without the written consent of Logicalis. By receiving Logicalis submission of this document, the customer further agrees not to disclose the contents hereof internally other than to those of its agents, principals, representatives, consultants or employees who need to know these contents for the purposes of the customer evaluation of the document.

The customer agrees to inform such persons of the confidential nature of the contents hereof and to obtain their agreement to preserve the confidentiality hereof to the same extent as the customer further agrees to treat the confidential information contained herein with at least the same level of care as it takes with respect to its own confidential information, but in no event with less than reasonable care.

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