

# MSP360™ GDPR Statement

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Effective date: Nov 25, 2019

## Introduction

The EU General Data Protection Regulation (“GDPR”) came into force across the European Union on May 25, 2018 and brought with it the most significant changes to data protection law in two decades. Based on privacy by design and taking a risk-based approach, the GDPR is designed to meet the requirements of the digital age.

The 21<sup>st</sup> Century brings with it broader use of technology, new definitions of what constitutes personal data, and a vast increase in cross-border data processing. The GDPR aims to standardize data protection laws and processing across the EU; affording individuals stronger, more consistent rights to access and control their personal information.

## Our Commitment

MSP360™ (“MSP360™”, “us”, “we” or “our”) is dedicated to safeguarding the personal information under our control and developing a data protection plan that is effective, fit for purpose and demonstrate an understanding of, and appreciation for the GDPR. Our GDPR actions to date and continuing objectives for GDPR compliance are summarized in this statement and include the development and implementation of new data protection roles, policies, procedures, controls and measures to ensure maximum and ongoing compliance.

## What We Are Doing

MSP360™ is committed to ensuring the security and protection of the personal information that we process, and to provide a compliant and consistent approach to data protection. We’ve made multiple updates to ensure our customers can confidently use our services now that the GDPR is in effect.

These updates include:

- Information Audit – carrying out a company-wide information audit to identify and assess what personal information we hold, where it comes from, how and why it is processed and if and to whom it is disclosed.
- Policies & Procedures – revised data protection policies and procedures to meet the requirements and standards of the GDPR and any relevant data protection laws, including:
  - Data Protection – our main policy and procedure document for data protection has been overhauled to meet the standards and requirements of the GDPR. Accountability and governance measures are in place to ensure that we understand and adequately disseminate and evidence our obligations and responsibilities; with a dedicated focus on privacy by design and the rights of individuals.
  - Data Retention & Erasure – we have updated our retention policy and schedule to ensure that we meet the ‘data minimization’ and ‘storage limitation’ principles and that personal information is stored, archived and destroyed compliantly and ethically. We have dedicated erasure procedures in place to meet the new ‘Right to Erasure’ obligation and are aware of when this and other data subject’s rights apply; along with any exemptions, response timeframes and notification responsibilities.
  - Data Breaches – our breach procedures ensure that we have safeguards and measures in place to identify, assess, investigate and report any personal data breach at the earliest possible time. Our procedures are robust and have been disseminated to all employees, making them aware of the reporting lines and steps to follow.
  - International Data Transfers & Third-Party Disclosures – where MSP360™ stores or transfers personal information outside the EU, we have robust procedures and safeguarding measures in place to secure, encrypt, and maintain the integrity of the data. Our procedures include a continual review of the countries with sufficient adequacy decisions, as well as provisions for binding corporate rules; standard data protection clauses or approved codes of conduct for those countries without. We carry out strict due diligence checks with all recipients of personal data to assess and verify that they have appropriate safeguards in place to protect the information, ensure enforceable data subject rights

and have effective legal remedies for data subjects where applicable.

- Subject Access Request (SAR) – we have revised our SAR procedures to accommodate the revised 30-day timeframe for providing the requested information and for making this provision free of charge. Our new procedures detail how to verify the data subject, what steps to take for processing an access request, what exemptions apply and a suite of response templates to ensure that communications with data subjects are compliant, consistent and adequate.
- Legal Basis for Processing – we have reviewed all processing activities to identify the legal basis for processing and ensuring that each basis is appropriate for the activity it relates to. Where applicable, we also maintain records of our processing activities, ensuring that our obligations under Article 30 of the GDPR and Schedule 1 of the Data Protection Bill are met.
- Privacy Notice/Policy – we have revised our Privacy Policy to comply with the GDPR, ensuring that all individuals whose personal information we process have been informed of why we need it, how it is used, what their rights are, who the information is disclosed to and what safeguarding measures are in place to protect their information.
- Obtaining Consent – we have revised our consent mechanisms for obtaining personal data, ensuring that individuals understand what they are providing, why and how we use it and giving clear, defined ways to consent to us processing their information. We have developed stringent processes for recording consent, making sure that we can evidence an affirmative opt-in, along with time and date records; and an easy to see and access way to withdraw consent at any time.
- Direct Marketing – we have revised the wording and processes for direct marketing, including clear opt-in mechanisms for marketing subscriptions; a clear notice and method for opting out and providing unsubscribe features on all subsequent marketing materials.

## Data Subject Rights

In addition to the policies and procedures mentioned above that ensure individuals can enforce their data protection rights, we provide easy to access information via our website for an individual's right to access any personal information that MSP360™ processes about them and to request information about:

- What personal data we hold about you
- The purposes of the processing
- The categories of personal data concerned
- The recipients to whom the personal data has / will be disclosed
- How long we intend to store your personal data
- The right to have incomplete or inaccurate data about you corrected or completed and the process for requesting this
- The right to request erasure of personal data (where applicable) or to restrict processing in accordance with data protection laws, as well as to object to any direct marketing from us and to be informed about any automated decision-making that we use

## Information Security & Technical and Organizational Measures

MSP360™ takes the privacy and security of individuals and their personal information very seriously and take every reasonable measure and precaution to protect and secure the personal data that we process. We have robust information security policies and procedures in place to protect personal information from unauthorized access, alteration, disclosure or destruction and have several layers of security measures, including: SSL, access controls, password policy, encryption, pseudonymization, best practices, data restriction, and IT authentication.

## GDPR Roles and Employees

MSP360™ has designated a data privacy team to develop and implement our roadmap for complying with the new data protection regulation. The team is responsible for promoting awareness of the GDPR across the organization,

assessing our GDPR readiness, identifying any gap areas and implementing the new policies, procedures and measures.

MSP360™ understands that continuous employee awareness and understanding is vital to the continued compliance of the GDPR and we have involved our employees in our preparation plans. We have implemented an employee training program which will be required by all employees prior to May 25<sup>th</sup>, 2018, and forms part of our induction and annual training program.

## Contact Us

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Further information is available within our Privacy Policy. If you have any questions, please contact our data privacy team at [gdpr\[at\]cloudberrylab.com](mailto:gdpr[at]cloudberrylab.com)