

## Data Protection Policy

### ***Scope of Applicability***

Co-Agency acts as a subcontractor for the products and services (hereinafter the Services) that are provided to its Clients. Co-Agency is thus led to process personal data transmitted by the Client and for which the Client is responsible.

Co-Agency's Services include the conception, design and production of graphic solutions and communication materials.

The purpose of this *Data Protection Policy* is to set the general framework applicable to such processing and to determine the respective rights, obligations and responsibilities of Co-Agency and the Client.

This policy has been drafted in accordance with the provisions of *Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data* (referred to as the General Regulation on the Protection of Personal Data - GDPR).

### ***1. Personal data collected by Co-Agency***

Co-Agency may process all personal data provided by the Client, which is necessary for the performance of the Services it provides to the Client.

This includes:

- If the client is an individual:
  - o identity information (surname, first name);
  - o contact information (postal address, e-mail address, telephone number, etc.);
  - o invoicing information (account number, bank).
- If the Client acts as a legal entity:
  - o identity information of the Client's employees involved in the project (surname, first name);
  - o contact information of the Client's employees involved in the project (postal address, e-mail address, telephone number, etc.);
  - o invoicing information (account number, bank).

### ***2. Type of persons concerned***

Co-Agency collects mainly data of Clients (individuals or legal entities) with whom it has signed a service agreement. The Client may also be required to provide lists of persons to be contacted in the framework of the performance of Co-Agency's Services.

### **3. Nature and purpose of data processing**

The personal data transmitted by the Client to Co-Agency is processed for the purpose of executing the contractual obligation between the Client and Co-Agency. This includes, in particular but not only:

- the performance of the Services provided to the Client (e.g. brochures, advertisements, congresses, awareness campaigns);
- the performance of the Client's contractual obligations towards Co-Agency (e.g. payment of Co-Agency's fees and expenses).

The nature of the processing consists primarily in the storage of personal data and their use for the above-mentioned purposes.

Co-Agency commits to process the Client's data only for the above-mentioned purposes or purposes which have been subject to a separate agreement.

### **4. Transfer to third countries**

Personal data transmitted by the Client to Co-Agency is processed exclusively within the European Union.

### **5. Subcontractors hired by Co-Agency**

#### *5.1 For administrative and IT purposes*

Co-Agency hires subcontractors exclusively for the maintenance of its IT network and accounting obligations. Subcontractors may process any data on Co-Agency's database.

#### *5.2 For questions related to the content of the activities*

If necessary and with prior agreement of the Client, Co-Agency shall collaborate with other experts for parts of the Services that do not fall within Co-Agency's field of expertise - such as graphic designers, journalists, translators or printer/publishers.

#### *5.3 Provision of general application*

Co-Agency ensures that these subcontractors offer strict guarantees with regard to technical and organisational measures to secure the confidentiality of data.

Co-Agency has informed its subcontractors that the provided data shall not be processed for any other purpose than the Services. The purposes of the Services carried out by the subcontractors are defined in a separate contract between Co-Agency and each of the subcontractors.

### **6. Confidentiality and professional secrecy**

Co-Agency and its employees undertake to strictly respect professional confidentiality within the

framework of the agreed Services.

Co-Agency employees who have access to personal data processed by Co-Agency are subject to the general legal obligation of confidentiality set out in article 17 of the law of 3 July 1978 relating to employment contracts. In addition, these employees are bound by a special confidentiality clause with Co-Agency.

## **7. Data retention**

Co-Agency will retain the personal data made available by the Client for as long as the contractual relationship with the Client lasts and their retention is necessary.

For all contact data, a retention period of maximum 3 years from the closure of the file is applied. Concerning the processing of other personal data, the retention period is reduced to 3 months after closure of the file.

This retention period should allow Co-Agency to meet its responsibilities.

## **8. Technical and organisational security measures**

Co-Agency respects the absolute confidentiality of the entrusted personal data and takes all necessary measures to secure this data. The main measures are as follows:

### *8.1 Access to buildings*

Co-Agency's offices are located in a building that can only be physically accessed with a security key.

The specific access to the offices themselves is also locked.

### *8.2 Paperless Office*

Co-Agency operates on a paperless basis. Therefore, physical paper files are created only in exceptional cases. This reduces the risk of uncontrolled access to files and prevents physical files from being taken out of the office.

The electronic storage of files ensures absolute continuity of service and considerably reduces the risk of data loss.

The electronic storage of files via a cloud archiving solution means that Co-Agency's staff can work on files without having to store documents or other information locally on their personal computers, tablets or other devices.

### *8.3 Monitoring of electronic access*

All IT systems are password-protected. This means that access can be blocked immediately if necessary.

#### *8.4 Privacy Policy*

Co-Agency's employees have agreed in writing that no customer or assignment information shall be stored on personal computers, tablets or other devices.

Co-Agency's employees have protected their electronic tools with personal passwords, complying with today's standards of complexity. They are encouraged to change their passwords on a regular basis.

#### **9. Client's rights - Provision of applications to individual clients**

As an individual, the Client has the right to withdraw his/her consent to the processing and exchange of personal data at any time. In such case, all activities related to the processing of the Client's data will cease and Co-Agency will not carry out any further treatment, except the possible conservation of data. The aforementioned retention period will start to run at that moment.

The Client has the right to ask which personal data has been stored and to have incorrect data corrected.

The Client has the right to obtain confirmation from the data controller whether or not personal data is being processed and, if so, access to such personal data as well as other information concerning the processing of his/her data.

The Client has the right to receive certain information processed and stored in a portable and readable format.

The Client has the right to obtain from the data controller the prompt removal of his/her personal data and the data controller has the obligation to remove such personal data in the shortest possible time, in application of article 17 of the GDPR. The Client also has the right to obtain from the data controller a limitation of the processing, under certain conditions in accordance with article 18 of the GDPR.

If the Client has concerns about the processing of his/her personal data, he/she may contact the Belgian Data Protection Authority.

The Client has the right not to be subject to a decision based solely on automated processing - including profiling - producing legal effects concerning him/her or significantly affecting him/her in a similar way, with the exception of the provisions set out in article 22 of the GDPR.

#### **10. Client Responsibilities - Data Controller**

The Client is responsible for the processing of the personal data it entrusts to Co-Agency in the framework of the Services. As data controller, the Client must ensure that the persons concerned are properly informed of any processing.

Co-Agency only acts on the Client's instructions in the performance of its contractual obligations.

Co-Agency shall not disclose the entrusted personal data to third parties, unless this happens within the Client's mandate or a legal obligation. If the Client requests Co-Agency to transfer certain data to a third party, the latter shall be considered a subcontractor of the Client and not of Co-Agency.

**11. Reasonable cooperation of Co-Agency in fulfilling the Client's obligations as data controller**

Co-Agency shall make available to the Client all necessary information proving that the cooperation with Co-Agency complies with the requirements of article 28 of the GDPR, to the extent possible within the applicable legal and ethical frameworks.

If for these reasons Co-Agency cannot comply with such a request, Co-Agency shall inform the Client.

**12. Breach of personal data**

In the event of a breach of the personal data entrusted to Co-Agency, Co-Agency shall notify the Client, in accordance with article 33 of the GDPR.

\* \*  
\*

Last update 01/05/2020. © Co-Agency. All rights reserved.