



# DATA PROCESSING AGREEMENT LUCRASOFT SYSTEMS B.V.

Comprised of:

Part 1. Data Pro Statement

Part 2. Standard Clauses for Data Processing

Version: 4-2021

**Dutch and English version**

The Data Pro Code was originally drafted in Dutch. The English version is for convenience only. In case of conflict between the Dutch and the English version, the Dutch version prevails.

# PART 1: DATA PRO STATEMENT

Along with the Standard Clauses for Data Processing, this Data Pro Statement constitutes the data processing agreement for the product or service provided by the company that has drawn up this Data Pro Statement.

## GENERAL INFORMATION

### 1. This Data Pro Statement was drawn up by

Lucrasoft Systems B.V.

De Zelling 8, 3342GS Hendrik Ido Ambacht, The Netherlands

Trademarks/brands: SimplrIT, Lucrasoft ICT Beheer

If you have any questions about this Data Pro Statement or data protection in general, please contact:

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### 2. This Data Pro Statement will enter into force on 01-04-2021

We regularly revise the security measures outlined in this Data Pro Statement to ensure that we are always fully prepared and up to date regarding data protection. If this document is updated, we will notify you of the revised versions through our regular channels.

### 3. This Data Pro Statement applies to the following products and services provided by the data processor

1. Cloud Server / Cloud workspace
2. System management and maintenance/support
3. Lucrasoft Cloud Backup
4. DNS and domain hosting
5. Spamfilter
6. Website hosting
7. DUO multi-factor authentication
8. Office / Microsoft 365
9. Microsoft Azure
10. Webroot Antivirus
11. ESET Antivirus
12. Lucrasoft VOIP, broadband connections and mobile data contracts
13. Exclaimer outlook/office365 signature management
14. Letsignit Office365 signature management
15. Skykick Backup – Office365 (e-mail, teams, sharePoint and onedrive)
16. Avepint - Office365 (e-mail, teams, sharePoint and oneDrive)
17. SSL Certificate
18. Zyxel Cloud Nebula

#### 4. Description of product/service A

**1. Cloud Server / Cloud workspace**

Cloud Server / Cloud workstation is a cloud solution for SMEs, offering a server environment in which customers can work with data and in packages.

**2. System management and maintenance/support**

The daily management and maintenance & support of the customer's entire ICT environment. The aim is to enable the customer to excel in his profession.

**3. Lucrasoft Cloud Backup**

Storing server and data backups in the cloud.

**4. DNS and domain hosting**

The registration of domain names with the correct organisation and processing DNS intermation change requests.

**5. Spam filter**

incoming e-mail filtering with the aim of substantially reducing the number of unwanted (spam) e-mails.

**6. Website hosting**

Offering space for the storage of information, images and other content that is accessible via a website.

**7. DUO multi-factor authentication**

Reselling a user verification (MFA) service by means of a mobile app, a text message code or a telephone conversation.

**8. Office / Microsoft 365**

Reselling Microsoft services from the Office /Microsoft 365 suite.

Office /Microsoft 365 is a cloud solution of Microsoft, the purpose of which is to facilitate all the data-related basic needs of a business. Among other things, this concerns e-mail, documents, cooperating and chat functionality.

**9. Microsoft Azure**

Reselling services from the Microsoft Azure catalog.

Microsoft Azure is a worldwide cloud solution that offers a wide range of services primarily consists of compute, storage and network.

**10. Webroot Antivirus**

Reselling the Webroot Antivirus solution. Webroot is a cloud-based Thread Intelligence solution, that uses Artificial Intelligence (from the Bright Cloud) to determine if something is malicious.

**11. ESET Antivirus**

Reselling the ESET Antivirus solution. ESET is an antivirus solution, that uses Intelligence to determine if something is malicious and attempts to block it.

- 12. Lucrasoft VOIP, broadband connections and mobile data contracts**  
Reselling VOIP telephony, broadband connections and mobile data contracts of RoutIT. RoutIT offers white-labelled VOIP telephony, broadband connections and mobile data contracts for partners.
- 13. Exclaimer outlook signature management**  
Reselling Exclaimer Cloud – Signatures packages that arrange the automatic addition of signatures in cloud e-mail products (such as Office/Microsoft365 and Gmail).
- 14. Letsignit outlook signature management**  
Reselling Letsignit – Signatures packages that arrange the automatic addition of signatures in cloud e-mail products (such as Office/Microsoft 365 and Gmail).
- 15. Skykick Backup – Office/Microsoft 365**  
Reselling Skykick Backup services. This software is used to make automatic backups of data in the Office 365 cloud (such as e-mail, sharepoint, teams and Onedrive) several times a day.
- 16. Avepoint Backup – Office/Microsoft 365**  
Reselling Avepoint Backup services. This software is used to make automatic backups of data in the Office 365 cloud (such as e-mail, sharepoint, teams and onedrive) 4 times a day.
- 17. SSL Certificate**  
Offering SSL certificates for secure connections for websites and other services.
- 18. Zyxel Nebula Cloud**  
Support & management of Zyxel Cloud products from the Nebula Cloud portal (by Zyxel).

## **5. Intended use**

**Product/service was designed and built to process the following types of data:**

- 1. Cloud Server / Cloud workstation**  
Full customer details. All the data a customer wishes to use on a cloud server.
- 2. System management and maintenance**  
Full customer details. All the data a customer wishes to use within the ICT environment.
- 3. Lucrasoft Cloud Backup**  
All the data a customer wants to back up. In most cases, the data of the entire server.
- 4. DNS and Domain hosting**  
Domain name and business/person contact details
- 5. Spam filter**  
All e-mail data marked as malicious (spam or a virus) and all metadata from e-mails (sender, recipient, date received, date forwarded) and log files of connections for a maximum of 60 days.

- 6. Website hosting**  
All the data needed by the website in order to show the content.
- 7. DUO Multi-factor authentication**  
Full name, registration name, e-mail address, IP address.
- 8. Office / Microsoft 365**  
E-mail, e-mail archive, OneDrive Teams, & SharePoint data documents, chat conversations. In general, all data that is needed for the solutions that is used out of the Office / Microsoft 365 cloud offering.
- 9. Microsoft Azure**  
Customers upload their own data. The data processor does not check the data and will only access the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance.
- 10. Webroot Antivirus**  
Diagnostic data of processes. Upload of data under investigation.
- 11. ESET Antivirus**  
Diagnostic data of processes. Upload of data under investigation.
- 12. Lucrasoft VOIP, broadband connections and mobile contracts**  
Customer's address and contact details.
- 13. Exclaimer Cloud – central signature management**  
Customer's address and contact details.
- 14. Letsignit Office/Microsoft 365 - central signature management**  
Customer's address and contact details.
- 15. SkyKick Backup**  
Backup data of Office 365 e-mail, Onedrive and Sharepoint.
- 16. Avepoint Backup**
- 17. SSL Certificate**  
Customer's contact details, including address, postcode, place of residence, telephone number and e-mail address.
- 18. Zyxel Nebula Cloud**  
Management details of the firewall device (for instance, IP-addresses, data usage, traffic patterns, firewall rules, etc), Customer details and location.

**When this product/service was designed, the possibility that it would be used to process special categories of personal data or data regarding criminal convictions and offences was not taken into account. It is up to the client to determine whether or not it will use the aforementioned product or service to process such data.**

**6. When the data processor designed the product or service, it applied the *privacy-by-design* approach in the following manner:**

**1. Cloud Server / Cloud workstation**

Customers upload their own data and can edit and remove it. The data processor does not check the data and will only view the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance.

**2. System management and maintenance**

Customers upload their own data and can edit and remove it. The data processor does not check the data and will only view the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance.

**3. Lucrasoft Cloud Backup**

Backup is an automated process. Customers upload their own data and can edit and remove it. The data processor does not check the data and will only access the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance.

**4. DNS and Domain hosting**

Our forms only contain fields needed for product registration.

**5. Spam filter**

Customers upload their own data. The data processor does not check the data and will only access the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance. The data is automatically removed after 60 days.

**6. Website hosting**

Customers upload their own data and can edit and remove it. The data processor does not check the data and will only view the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance.

**7. DUO Multi-factor authentication**

Several fields needed for the correct performance of the service are saved. Customers upload their own mobile data.

**8. Office / Microsoft 365**

Customers upload their own data and can edit and remove it. The data processor does not check the data and will only access the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance.

**9. Microsoft Azure**

Customers upload their own data and can edit and remove it. The data processor does not check the data and will only access the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance.

**10. Webroot Antivirus**

Some data needed for the correct performance of the service is saved. This is a fully automatic process. The data processor does not check the data and cannot inspect it either.

**11. ESET Antivirus**

Some data needed for the correct performance of the service is saved. This is a fully automatic process. The data processor does not check the data and cannot inspect it either.

**12. Lucrasoft VOIP, broadband connections and mobile contracts**

Our forms only contain fields needed for product or service registration.

**13. Exclaimer Cloud – central signature management**

Several fields needed for the correct performance of the service are saved. This is a fully automatic process. The data processor does not check the data and will only view the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance.

**14. Letsignit – central signature management**

Several fields needed for the correct performance of the service are saved. This is a fully automatic process. The data processor does not check the data and will only view the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance.

**15. SkyKick Backup**

Some data needed for the correct performance of the service is saved. This is a fully automatic process. The data processor does not check the data and will only view the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance.

**16. SkyKick Backup**

Some data needed for the correct performance of the service is saved. This is a fully automatic process. The data processor does not check the data and will only view the data at the customer's request. This may be necessary in order to respond to a question from the customer, for instance.

**17. SSL Certificate**

Some data needed for the correct performance of the service is saved.

**18. Zyxel Nebula Cloud**

Some data needed for the correct performance of the service is saved.

7. **The data processor adheres to the Data Processing Standard Clauses for Data Processing which can be found in this document.**
8. **The Data Processor processes the personal data of its clients within the EU/EEA. Exceptions are Webroot and DUO MFA.**

**9. The data processor uses the following sub-processors:**

Sub-processor	Within the EU/EER	Privacy statement
Webroot	No, United States	<a href="https://www.webroot.com/Webroot_SecureAnywhere_Privacy_Statement">https://www.webroot.com/Webroot_SecureAnywhere_Privacy_Statement</a>
ESET	Yes	<a href="https://www.eset.com/int/privacy/">https://www.eset.com/int/privacy/</a>
DUO Security	No, United States	<a href="https://duo.com/legal/privacy">https://duo.com/legal/privacy</a>
Microsoft (Office 365, Azure)	Yes	<a href="https://products.office.com/nl-nl/business/office-365-trust-center-privacy">https://products.office.com/nl-nl/business/office-365-trust-center-privacy</a> <a href="https://products.office.com/nl-nl/business/office-365-trust-center-welcome">https://products.office.com/nl-nl/business/office-365-trust-center-welcome</a>
Acronis	Yes	<a href="https://www.acronis.com/en-us/company/privacy.html">https://www.acronis.com/en-us/company/privacy.html</a>
SIDN	Yes	<a href="https://www.sidn.nl/a/nl-domeinnaam/sidn-en-privacy">https://www.sidn.nl/a/nl-domeinnaam/sidn-en-privacy</a>
Webservices.be	Yes	<unkown>
Networking4all	Yes	<a href="https://www.networking4all.com/nl/over+ons/voorwaarden/">https://www.networking4all.com/nl/over+ons/voorwaarden/</a>
RoutIT	Yes	<a href="https://routit.nl/privacy/">https://routit.nl/privacy/</a>
Exclaimer	Yes	<a href="https://www.exclaimer.com/company/privacy-policy">https://www.exclaimer.com/company/privacy-policy</a>
Letsignit	Yes	<a href="https://help.letsignit.com/en/articles/2908086-gdpr-how-letsignit-protects-your-">https://help.letsignit.com/en/articles/2908086-gdpr-how-letsignit-protects-your-</a>
Skykick	Yes	<a href="https://www.skykick.com/privacy-policy">https://www.skykick.com/privacy-policy</a>
AvePoint	Yes	<a href="https://www.avepoint.com/company/privacy-policy">https://www.avepoint.com/company/privacy-policy</a>
Leaseweb NL	Yes	<a href="https://www.leaseweb.com/sites/default/files/Legal/LSW_NL_B2B_v1NOV2020_P">https://www.leaseweb.com/sites/default/files/Legal/LSW_NL_B2B_v1NOV2020_P</a>
Dataplace	Yes	<a href="https://dataplace.com/nl/privacy-statement">https://dataplace.com/nl/privacy-statement</a>

**10. The data processor will support its clients in the following way when they receive requests from data subjects:**

Requests to inspect, correct or remove data should be sent to support@lucrasoft.nl. After receiving the request, we will process and confirm it within five (5) working days.

#### **11. Termination of the agreement:**

After termination of the agreement with a client, the data processor, in principle, removes the personal data that it processes for the client within three (3) months (or earlier, if explicitly requested) in such a way that it can no longer be used and is no longer accessible (it is rendered inaccessible).

Backup retention means that the data is, indeed, removed after three (3) months. As this concerns an automated process, manual or earlier removal is not possible.

### **SECURITY POLICY**

#### **12. The data processor has implemented the following security measures to protect its product or service:**

- (1) The data centres (Databarn Rivium & Databarn Amsterdam), where Lucrasoft ICT Group has servers, are equipped with camera surveillance and visitor registration systems and are ISO:27001:2013-certified.
- (2) The (database) servers can be accessed only via Lucrasoft's trusted network locations.
- (3) Procedures are in place, which means only authorised personnel have access to the personal data. A non-disclosure agreement ensures this still applies when a member of staff leaves the company.
- (4) Our web servers and database servers are firewall-protected in accordance with the least privileged principle. Applications have their own database for every application. Every application has access to its own database only.
- (5) All data within Lucrasoft's services will be stored as securely as possible.
- (6) Encryption will be used when possible.
- (7) All data will be transmitted with the highest possible form of encryption that is supported.
- (8) Our web servers are patched in accordance with the latest Window updates every month.
- (9) All mobile carriers (such as laptops, USB sticks and portable HDs) of Lucrasoft Systems B.V. are encrypted.

## DATA LEAK PROTOCOL

- 13. In the unfortunate event that something does go wrong, the data processor will follow the following data breach protocol to ensure that clients are notified of incidents:**

The Data Protection Officer (or DPO) will be notified of the possible data breach. A relevant internal data breach procedure is in place. He will set up a team in order to analyse the cause, the impact and the affected customers. Depending on the outcome of this analysis, customers will be notified by means of an e-mail that is sent to the technical contact person within 24 hours.

Lucrasoft Systems B.V. will provide highly detailed information about:

- (a) The nature of the breach, including a description of the incident, the nature of the personal data or categories of affected data subjects, an estimate of the number of affected data subjects and databases that may be affected, as well as an indication of when the incident occurred;
- (b) Any measures already taken by Lucrasoft Systems B.V. in order to stop the breach.
- (c) Any measures to be taken by the controller or the affected data subjects (what can the affected data subjects themselves do, such as “keep an eye on your e-mails, change your passwords”);
- (d) Any measures to be taken by Lucrasoft Systems B.V. in order to prevent a future breach.

Clients are notified within 24 hours, if possible. Lucrasoft Systems B.V. does not own the data and cannot notify the Dutch Data Protection Authority or data subjects. The data processor will support the client or the controller during the notification process, if so required.

# PART 2: STANDARD CLAUSES FOR DATA PROCESSING

*Version: April 2021*

*The Standard Clauses for Data Processing have been incorporated in H2 of the general terms and conditions 2020.*

*Along with the Data Pro Statement, these standard clauses constitute the Data Processing Agreement. They also constitute an annex to the Agreement and to the appendices to this Agreement, e.g., any general terms and conditions which may apply.*