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GDPR Compliance Questionnaire

This is a **Processor GDPR compliance questionnaire** which aims to assess the Processor's current state of readiness for the GDPR, which is effective as of May 25th, 2018. As we need to act now to ensure that we are ready to comply with the General Data Protection Regulation (GDPR), we kindly request you to provide honest and sincere answers to the questions below. In case of doubt, please choose the more disadvantageous answer.

When completing this document, please note that KubeNet is acting as a **Data Controller**, and **"personal data"** refers to any information relating to an identified or identifiable natural person, who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, identification number, location data, online identifier or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person that is passed through or accessed by the your in order for the latter to fulfil its contractual obligations towards [Company Name].

Processing of personal data refers to any operation or set of operations which is performed upon personal data or sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

EU/EEA – refers to the area set up by the EEA agreement, comprising the 28 Member States of the European Union and the three countries of EFTA (the European Free Trade Association) which are bound by the Agreement on the European Economic Area (EEA). The 28 Member States are Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom. The three EFTA countries which are also bound by the Data Protection Directive, through being part of the EEA, are Iceland, Liechtenstein and Norway.

Applicability - The EU GDPR applies to processing of personal data to entities (acting either as a controller or a processor) in the EU/EEA, regardless of whether the processing takes place in the EU/EEA or not. EU GDPR also applies to the processing of personal data of data subjects who are in the EU/EEA by a controller or processor not established in the EU/EEA, where the processing activities are related to:

- The offering of goods or services, irrespective of whether a payment of the data subject is required, to such data subjects in the EU/EEA; or
- The monitoring of their behaviour, as far as their behaviour takes place within the EU/EEA.

Name and job title of person filling out this checklist: Lora Barclay, Service Delivery Manager

Date: 05/04/2018

Company name and address of the processor/supplier: Kube Networks Ltd T/A KubeNet, Unit 4000, Academy Park, Gower Street, Glasgow, G51 1PR

Topic	Question	Answer
Market place principle (Art. 3 GDPR)	1. Is the EU GDPR applicable to your company?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Principles relating to personal data (Art. 5 (1) GDPR)	2. Do all of your processing activities concerning personal data comply with all of the following principles? All personal data are: - Processed lawful, fair and in transparent manner (lawfulness, fairness and transparency). - Collected for specified, explicit and legitimate purposes and not further processed in a way incompatible with those purposes (purpose limitation). - Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (data minimization). - accurate and, where necessary, kept up to date ('accuracy'); - Kept 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 (storage limitation). - Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures (integrity and confidentiality).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Accountability (Art. 5 (2) GDPR)	3. Are you able to demonstrate compliance (have processes, policies and records) with the principles set out in the previous question?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Rectification (Art. 16 GDPR)	4. Do you have a documented process for correcting inaccurate personal data when asked by the controller?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Erasure of personal data / right to be forgotten/erased (Art. 17 GDPR)	5. Do you have a concept / processes for deleting personal data when asked by the controller?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Restriction of processing (Art. 18 GDPR)	6. Do you have a concept / processes for restriction of processing of personal data upon controller's request?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Data portability (Art. 20 GDPR)	7. Can you provide data portability for controller's personal data? That is, can you, at the request of the controller, provide personal data in a structured, commonly used and machine-readable format, and are you able to transmit those data to another controller in case the processing is based on consent or on a contract where the processing is carried out by automated means?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Data processing agreements - DPA (Art. 28 GDPR)	8. Do you have a process in place to inform the controller of any possible use of sub-processors that have access to controller personal data? 9. Can you ensure that only sub-processors of controller personal data are used by providing sufficient guarantees to implement appropriate technical and organizational measures in such a manner that processing will ensure protection of the controller's personal data?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Processing under the authority of the controller or processor (Art. 29 GDPR)	10. Are all employees (internal & external), who work with controller personal data, committed to data protection & privacy? 11. Do you conduct privacy awareness/training for employees working with controller personal data?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Records of processing activities (Art. 30 GDPR)	12. Is there an overview available concerning <u>all</u> business processes/IT systems processing controller personal data?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Security of processing of personal data (Art.24,32 GDPR)	13. Are the following technical and organization measures in place with relation to controller personal data: - Pseudonymization and encryption following the criticality of personal data? - Ability to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services? - Restoration and enabling access to personal data in a timely manner in the event of a physical or technical incident? - Processes for regularly testing, assessing and evaluating the effectiveness of technical and organizational measures for ensuring the security of the processing?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Data breach process (Art. 33 GDPR)	14. When experiencing a data breach containing personal is there a process defined to: - Notify the controller as soon as you become aware of the breach? - Document any facts relating to the personal data breach, its effects and the remedial action taken? - Preserve digital evidence for forensic needs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Designation of the data protection officer (DPO) (Art.37,38, 39 GDPR)	15. Do you have an assigned DPO within your organization who is properly involved, and notified in a timely manner, with all issues which relate to the protection of personal data?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

	If the answer is yes please provide the name and contact details:	
	If the answer is no please provide the reason for this:	

If you have any queries ,please contact us at DPO@kubenet.net

