

## DATA PROTECTION NOTICE

### ON THE USE OF DOCUSIGN SIGNATURE

#### 1. Introduction

Personal data provided in connection with the use of DocuSign Signature (i.e. electronic signature of internal and external documents) are processed in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (hereinafter referred to as 'Regulation no. 1725/2018' or 'EDPR')<sup>1</sup>.

The Head of the Organisational Support Unit, Ms. Mattanja de Boer, is the staff member responsible for this processing operation on behalf of the data controller (i.e. Eurofound).

#### 2. Why do we process your personal data?

Eurofound processes your personal data for the purpose of preparing and sending documents for signature.

#### 3. Which personal data do we collect and process?

The following personal data are processed:

- Personal identifiers: name, email address and electronic signature;
- Online identifiers: physical location, IP address, unique device identifiers and device attributes, like operating system and browser type, and usage data (e.g. web log data, referring and exit pages and URLs, platform type, number of clicks, domain names, landing pages, pages and content viewed and the order of those pages, the amount of time spent on particular pages, the date and time used our Services, the frequency of use, error logs, and other similar information; and
- Transactional data: names and email addresses of parties to a transaction, subject line, history of actions that individuals take on a transaction (e.g. review, sign, enable features) and personal information about those individuals or their

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<sup>1</sup>. OJ L 295 21.11.2018, p. 39-98.



devices, such as name, email address, IP address, and authentication methods.

#### **4. What is the legal basis for processing your personal data?**

Depending on the type of document to be signed, the processing of your personal data may be necessary for:

- the management and functioning of Eurofound<sup>2</sup>;
- compliance with a legal obligation to which Eurofound is subject<sup>3</sup>; and
- performance of a contract to which the data subject is party<sup>4</sup>.

The use of DocuSign itself is dependent on your consent<sup>5</sup>, i.e. the signatories' parties have to read the terms of the disclosure and agree to the use of electronic records and signatures before viewing or taking action on the documents.

#### **5. Who has access to your personal data and to whom is it disclosed?**

Access to your name and signature will be provided to all signatories' parties as well as DocuSign (and eventually its sub-processors). Access to your name, signature and email address will be provided to Eurofound's staff members responsible for preparing and sending the documents for signature.

Only DocuSign and, eventually, its sub-processors will be given access to your online identifiers.

No other third parties will have access to your personal data, except if required by law.

#### **6. How long do we keep your personal data?**

All documents electronically signed will be saved on Eurofound's document management system for defined and specific retention periods (e.g. 7 to 10 years in case of contracts).

As for documents and data stored on DocuSign, a 14-days retention period has been defined by Eurofound, after which all affected envelopes are placed in a purge queue for

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<sup>2</sup> Article 5(1) (a) of Regulation 2018/1725.

<sup>3</sup> Article 5(1) (b) of Regulation 2018/1725.

<sup>4</sup> Article 5(1) (c) of Regulation 2018/1725.

<sup>5</sup> Article 5(1) (d) of Regulation 2018/1725.



an additional 14 days, after which the documents in the envelopes are deleted from the DocuSign system. In addition, as soon as the retention period expires, all fields and metadata are removed, and all personal data (such as name, physical address, email, IP address) is redacted.

## **7. How do we protect and safeguard your data?**

The entire Eurofound computer network is protected by antivirus, firewalls and similar technology that help maintain the security, integrity and availability of your personal data. Adequate levels of access to Eurofound's document management system based on a 'need-to-know' basis are also implemented.

As for DocuSign, it implements a variety of security measures, including<sup>6</sup>:

- Physical and logical security measures. DocuSign maintains around-the-clock onsite security with strict physical access control that complies with industry-recognized standards, such as SOC 1, SOC 2, and ISO 27001;
- Security testing and vulnerability management measures. DocuSign ensures that rigorous automated and manual code reviews are designed to pinpoint security weaknesses, as well as performs internal and external vulnerability scans and penetration tests against the DocuSign Protect and Sign production environment;
- Security monitoring measures, from both an operational and a security perspective;
- Storage, encryption, and disposal measures, including logically separate individual customer data and encrypt customer data
- Business continuity and disaster recovery measures, including maintaining business continuity and disaster recovery plans;
- Configurable security features, including multi-factor authentication, level of signature, a proof file and consent protocol.

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<sup>6</sup> A complete list of the security measures implemented by DocuSign is available at <https://www.docusign.com/trust/security/protect-sign> and <https://www.docusign.com/company/terms-and-conditions/schedule-docusign-signature/attachment-information-security>

## **8. Do we transfer any of your personal data to third countries or international organisations (outside the EU/EEA)?**

DocuSign may transfer personal data outside the EU/EEA, namely to Australia, Canada and the USA. Transfer of data is done using Binding Corporate Rules<sup>7</sup>.

Subscription to DocuSign Signature is governed by the DocuSign Signature Service Schedule<sup>8</sup>, which includes a Data Protection Attachment<sup>9</sup> as well as Standard Contractual Clauses<sup>10</sup>.

## **9. Does this processing involve automated decision-making, including profiling?**

No decision is taken by Eurofound in the context of this processing activity solely on the basis of an automated processing of your personal data (i.e. processing without human intervention, for example profiling [evaluating or predicting your behaviour using automated tools]).

## **10. What are your rights as a data subject and how can you exercise them?**

Within the limits set by the EDPR, you have the right to access, rectify, erase and/or port your personal data, as well as to restrict or object to the processing of your personal data.

In order to exercise your rights, please contact in writing the Head of the Organisational Support Unit, Ms. Mattanja de Boer ([Mattanja.deBoer@eurofound.europa.eu](mailto:Mattanja.deBoer@eurofound.europa.eu)). The exercise of your rights is free of charge. If your request is manifestly unfounded or excessive, Eurofound may refuse to act on it.

Should you feel that the processing infringes the data protection rules, you are entitled to raise a complaint with the European Data Protection Supervisor

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<sup>7</sup> Article 48(2) (d) of Regulation 2018/1725. For more information, please see <https://www.docusign.com/trust/privacy/binding-corporate-rules>.

<sup>8</sup> Available at <https://www.docusign.com/company/terms-and-conditions/msa-service-schedules>

<sup>9</sup> Available at <https://www.docusign.com/company/terms-and-conditions/schedule-docusign-signature/attachment-data-protection>

<sup>10</sup> Available at <https://www.docusign.com/company/terms-and-conditions/schedule-docusign-signature/attachment-standard-contractual-clauses>



([www.edps.europa.eu](http://www.edps.europa.eu)). Please find the complaints form at [https://edps.europa.eu/data-protection/our-role-supervisor/complaints/edps-complaint-form\\_en](https://edps.europa.eu/data-protection/our-role-supervisor/complaints/edps-complaint-form_en).

#### **11. Who shall I contact in case of doubts?**

Should you have any question or doubt on this processing operation, you should contact the Head of the Organisational Support Unit, Ms. Mattanja de Boer ([Mattanja.deBoer@eurofound.europa.eu](mailto:Mattanja.deBoer@eurofound.europa.eu)).

You may always submit queries, remarks or complaints relating to the processing of your personal data to Eurofound's Data Protection Officer (DPO) by using the following contacts:

**Address:** Wyattville Road, Loughlinstown, Dublin 18, Ireland  
**@:** [dataprotectionofficer@eurofound.europa.eu](mailto:dataprotectionofficer@eurofound.europa.eu)  
**Tel:** (+353 1) 204 3100  
**Fax:** (+353 1) 282 64 56 / 282 42 09