

KWT GLOBAL DATA PROTECTION POLICY

1. Overview of Data Protection Policy

This Data Protection Policy sets out how KWT Global LLC (“KWT Global” or “KWT”) handles the personal data of our clients, suppliers, employees, workers and other individuals.

This Data Protection Policy applies to all personal data KWT process regardless of how that data is stored or whether it relates to past or present employees, clients, supplier contacts, research and survey subjects, website users or any other individual.

This Data Protection Policy has been distributed to all KWT Global personnel

2. The Data Protection Team (DPT)

The parent company of KWT, MDC Partners, has implemented a Data Protection Team (DPT), which operates independently of KWT. The DPT is led by MDC’s VP, Head of Global Technology (John Georgatos, jgeorgatos@mdc-partners.com) and its VP, Deputy General Counsel (Tiffany Morris Palazzo, tpalazzo@mdc-partners.com). The DPT is involved in all issues relating to the processing and protection of personal data, including monitoring compliance with data protection laws and communicating with applicable governmental authorities. The DPT will be responsible to assist MDC Partner agencies complying with applicable privacy laws as part of MDC’s ongoing commitment to the lawful processing of personal data.

3. What is personal data?

“*Personal data*”, as used in this Data Protection Policy, means any information relating to an identified or identifiable natural person (an individual). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

4. What is processing of personal data?

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

5. Personal Data Protection Principles

KWT Global must adhere to the principles relating to processing of personal data set out in the GDPR. Specifically, these principles require personal data to be:

- processed lawfully, fairly and in a transparent manner in relation to the individual (**‘lawfulness, fairness and transparency’**);
- collected for specified, explicit and legitimate purposes and not further processed in a manner that is 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 minimisation’**);
- accurate and, where necessary, kept up to date. Every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (**‘accuracy’**);
- kept in a form which permits identification of individuals 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 unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (**‘integrity and confidentiality’**).

The Data Controller shall be responsible for, and be able to demonstrate compliance with these principles (**‘accountability’**).

6. Processing Personal Data Lawfully

KWT only collects, processes and share personal data lawfully and for specified purposes identified under GDPR as **“lawful purposes”**.

a. Lawful purpose

The GDPR only allows processing for specific purposes, which include situations where:

- The individual has given his or her consent.
- The processing is necessary for the performance of a contract with the individual (e.g., processing of employee payroll amounts).
- processing is necessary to meet legal compliance obligations.
- processing is necessary to protect the individual’s vital interests.

- To pursue the controller's legitimate interests for purposes where they are not overridden because the processing prejudices the interests or fundamental rights and freedoms of the individual concerned. The purposes for which KWT processes personal data for legitimate interests are outlined in the applicable Privacy Notice.

As a matter of practice, KWT works with all clients and partners to identify and document the lawful basis of processing for each contracted activity.

In most cases, KWT Global will be relying on the basis that the processing is necessary for the performance of a contract or to pursue KWT Global's legitimate interests. In cases where this does not apply, KWT may require the Data Controller to obtain the individual's consent.

b. Purpose limitation

Personal data must be collected only for specified, explicit and legitimate purposes. It must not be further processed in any manner incompatible with those purposes.

KWT will not use personal data for new, different or incompatible purposes from that disclosed when it was first obtained unless KWT informs the individual of the new purposes and obtains the individual's express consent

c. Data minimisation

Under GDPR, personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.

KWT takes reasonable efforts to ensure that when personal data is no longer needed for specified purposes, it is deleted or anonymised in accordance with KWT Global's data retention guidelines.

d. Accuracy

Personal data must be accurate and, where necessary, kept up to date. It must be corrected or deleted without delay when inaccurate.

KWT takes reasonable efforts to ensure that the personal data it stores and process is accurate, complete, kept up to date and relevant to the purpose for which KWT collected it. KWT takes all reasonable steps to destroy or amend inaccurate or out-of-date personal data.

7. Notifying individuals

The GDPR requires Data Controllers to provide detailed, specific information to individuals depending on whether the information was collected directly from individuals or from elsewhere. Such information must be provided through appropriate Privacy Notices which must be concise, transparent, intelligible, easily accessible, and in clear and plain language so that an individual can easily understand them. KWT works cooperatively with its clients to ensure that both parties understand, with respect to each engagement how and why the parties will use, process, disclose, protect and retain that personal data so that the parties are equipped to update and maintain Privacy Notices in accordance with applicable laws.

8. Storing, retaining and deleting personal data

Personal data must not be kept in an identifiable form for longer than is necessary for the purposes for which the data is processed.

KWT does not keep personal data in a form which permits the identification of the individual for longer than needed for the legitimate business purpose or purposes for which KWT originally collected it including for the purpose of satisfying any legal, accounting or reporting requirements.

KWT Global maintains data retention policies and procedures to ensure personal data is deleted after a reasonable time for the purposes for which it was being held, unless a law requires such data to be kept for a minimum time.

9. Protecting personal data

Personal data must be secured by appropriate technical and organizational measures against unauthorized or unlawful processing, and against accidental loss, destruction or damage.

KWT has developed, implemented and maintains safeguards appropriate to our size, scope and business, our available resources, the amount of personal data that KWT owns or maintains on behalf of others and identified risks (including use of encryption and pseudonymization where applicable). KWT regularly evaluates and tests the effectiveness of those safeguards to ensure security of our processing of personal data.

KWT maintains data security by implementing physical and technical safeguards to protect the confidentiality, integrity and availability of the personal data:

Confidentiality means that only people who have a need to know and are authorized to use the personal data can access it.

Integrity means that personal data is accurate and suitable for the purpose for which it is processed.

Availability means that authorized users are able to access the personal data when they need it for authorized purposes.

10. Sharing personal data

KWT Global does not share personal data with third parties unless KWT has obtained the requisite consent to share such data – both from the individual from whom the personal data was originally collected, and from the Data Controller that provided the personal data to KWT Global for processing. Any transfer or sharing of personal data with third parties will be governed by a Data Processing Agreement between the parties.

11. Individuals' Rights and Requests

MDC's DPT manages all data access and information requests from individuals via privacy@mdc-partners.com.

12. Personal Data Breaches

KWT has been instructed to immediately report all possible or suspected breaches to the DPT, and to any affected clients. KWT and the DPT work cooperatively with clients to ensure that all parties abide by the reporting timelines established by applicable law.

13. Training and Audit

KWT Global requires all personnel to participate in periodic trainings to ensure that its employees are aware of data privacy compliance requirements.