

NO-DEAL BREXIT & DATA PROCESSING

Access provide 'out of box' software solutions at scale so we have tailored our response to a no-deal Brexit and data protection to reflect the solutions provided under our contracts and in a manner, which we understand to be consistent with other 'out of box' software providers.

Both the UK Government and the Information Commissioners Office have recommended that should the UK leave the European Union without a withdrawal agreement, that the Standard Contractual Clauses are incorporated to contracts currently reliant on GDPR.

Most customers are on our standard terms, which allow us to update our terms and conditions in such situations, please see below for links and further information on this. Therefore, in order to maintain a processing agreement with us, we incorporate the SCCs to our customer contracts via the following update:

UK exit of the European Union without a withdrawal agreement

If the UK leaves the European Union without a withdrawal agreement on the day of exit (or the transitional period under a withdrawal agreement expires before the European Commission has adopted an adequacy decision for the UK) then:

The parties hereby enter into the [standard contractual clauses \(SCCs\)](#) in the EU Commission's decision 2010/87/EC and agree, where no other appropriate safeguard or exemption applies, that the personal data subject to this agreement (and to which Chapter V of the General Data Protection Regulation ((EU) 2016/679) applies) will be transferred in accordance with the SCCs, exclusive of any optional clauses, as of that date.

The SCCs can also be accessed here:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010D0087&from=en>

The information required in the two appendices to the SCCs do not require individual completion by you or us. This is because the information is already contained either within our terms and conditions, on our Information Security Portal or set out below, as follows:

Appendix 1

Data exporter / importer: You, the Customer, will be the Data Exporter and Access UK Ltd will be the data importer.

Activities relevant to the transfer of data are:

- Engaging with you as part of a contractual agreement;
- Processing your data as part of our contractual agreement.

Our Product fact sheets are available on our Information Security Portal and provide full details on:

- Data Subjects;
- Categories of Data;
- Special Categories of data if applicable to the software; and,
- Processing activities.

Appendix 2

Description of the technical and organisational security measures implemented by the data importer in accordance with Clauses 4(d) and 5(c):

- Organisational security measures can be found in the 'Access Group Security Overview' and the 'Access Group QA' fact sheets available on our [Information Security Portal](#).
- Technical security measures can be found in the Product Fact sheets and where applicable, in the 'Hosting Section' within our [Information Security Portal](#).

Information Security Portal

If you are not already registered on our [Information Security Portal](#), please select 'not a member' and once our support team have validated your request, they will contact you.

If in doubt, you may also email Information.Security@theaccessgroup.com.

Following the incorporation of the SCCs the substantive position under data protection law will not change; you remain the data controller of the data we hold on your behalf, and we remain the data processor.

TERMS AND CONDITIONS

Standard Terms

(1) [SaaS only terms](#)

Clause 6.5: These Terms and Conditions may vary from time to time as published on our website.

- If this term is present, you may access your terms and [here](#).
- The SCCs will now be deemed to apply.

(2) [Full Terms](#)

Clause 10.1: We may change these Terms and Conditions from time to time and will notify You of any changes by posting them on Our website or via Our newsletter or email. Any changes will be effective immediately upon such notice. If You use the Services. SaaS or Software after notice of the changes to the Terms and Conditions, You will be taken to have agreed to the changes.

- If this term is present, you may access your terms and conditions [here](#).
- The SCCs will now be deemed to apply.

Non-standard and Acquisition Terms

For those few customers who are not on standard terms and conditions, this document serves as an addendum to incorporate the SCCs into your agreement.

If you are unsure of the type of contract you are on, please contact your account manager who will be able to provide a copy.

Further information

Our security processes and certification (ISO27001:2013, Cyber Essentials, NHS Security Portal) and adherence to GDPR remain unchanged.