

GDPR: General Data Protection Regulation FAQs

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Circulation Scope: Unrestricted
Document Revision Date: September 26, 2019
External

Contents

General Information	3
Is Agilysys a Data Processor or a Data Controller?	3
Does Agilysys Comply with GDPR?	3
Data Subject Rights.....	5
Creation, Access, Correction, Restriction, Export and Deletion	5
Data Processing Records	5
Data Transfer Transparency.....	5
Breach Notification Process	6
Internal Points of Contact	7

About Agilysys

Agilysys has been a leader in hospitality software for more than 40 years, delivering innovative guest-centric technology solutions for gaming, hotels, resorts and cruise, corporate foodservice management, restaurants, universities, stadia and healthcare. Agilysys offers the most comprehensive software solutions in the industry, including point-of-sale (POS), property management (PMS), inventory and procurement, payments, and related applications, to manage the entire guest journey. Agilysys is known for its leadership in hospitality, its broad product offerings and its customer-centric service. Some of the largest hospitality companies around the world use Agilysys solutions to help improve guest loyalty, drive revenue growth and increase operational efficiencies. Agilysys operates across North America, Europe, Asia-Pacific, and India with headquarters located in Alpharetta, GA. For more information visit Agilysys.com.

General Information

- The GDPR is an EU regulation controlling how businesses must handle EU residents' ("Data Subjects") personal data. It became effective on May 25, 2018.
- Under the GDPR, Data Subjects own their personal data, even if it resides on a business's system, and have qualified rights to create, correct, access, restrict, export, and delete that data. Businesses must comply with Data Subjects' valid requests unless there is a legal basis to refuse.
- The GDPR defines personal data as any material concerning "identified or identifiable" Data Subjects. Examples include, but are not limited to: names, contact information, geolocation information, payment processing information, and protected health information.

Is Agilysys a Data Processor or a Data Controller?

- Definitions: The GDPR designates data handlers as either **Controllers** or **Processors** based on how either interacts with personal data:
- **Controllers** determine what, how, and why data is processed.
- **Processors** store, secure, and process data on the controller's behalf and according to their instructions.
- Product and Data Types:
- **On-premises products**: because the data resides entirely on the customers' system, they are both the **Controller** and the **Processor**.
- **Hosted and SaaS products**: Agilysys is a **Processor** of customers' guests' data.
- **Business Relationship Data**: Agilysys is a **Processor** for a minimal amount of data related to our customers' employees - in a work context (i.e., their names, work e-mail, work phone, and potentially home phone) - that is stored on Salesforce, voluntarily provided and necessary to support the parties' business relationship (e.g., to resolve product support issues).
- **Customer Guest Data During Troubleshooting**: Agilysys may be a **Processor** of our customers' guests' data that could be remotely accessed – in view only format - during a customer support request. It is our policy not to retain such data and to delete it if it is inadvertently stored.

Does Agilysys Comply with GDPR?

As a global organization, Agilysys is committed to the principles outlined by the GDPR. Agilysys therefore:

- complies with valid customer and Data Subject requests;
- includes the mandatory GDPR provisions in all relevant data processing agreements;
- implements technical and organizational measures to adequately protect our customers' data;
- processes data only on lawful bases;
- enables our customers to determine whether, how, and why data is processed;
- ensures employees involved in data processing are subject to appropriate obligations of secrecy;

- supports valid requests to access, correct, search, export, or erase any processed data;
- transfers data from the EU only to adequate jurisdictions, and only via lawful mechanisms;
- assists our customers with audits, compliance, investigations, or certifications; and
- documents data breaches and timely notifies our customers when they occur.

Data Subject Rights

Creation, Access, Correction, Restriction, Export and Deletion

- The GDPR provides Data Subjects with certain qualified rights, including the rights to create, correct, access, restrict, export, and delete, their data. These rights are fairly self-explanatory. It is important to know, however, that Agilysys's obligations with respect to the GDPR depend on whether we are a **Controller** or a **Processor** of data. And whether we are a data **Controller** or a **Processor** largely depends on the products and data involved.
- On-Premises Products: Because customers are both the **Controller** and **Processor**, they have the sole obligation to comply with Data Subjects' valid requests.
- Hosted and SaaS Products and Business Relationship Data: Agilysys will comply with any valid Data Subject request made from a **Controller**. Individuals who believe that Agilysys processed their personal data on behalf of a **Controller** should contact the **Controller** to exercise their GDPR rights. Customer Guest Data During Troubleshooting: It is Agilysys policy to immediately delete any customers' guests' data we receive as part of product troubleshooting. If Agilysys inadvertently retains such data, Agilysys will comply with Data Subjects' valid requests

Data Processing Records

- On-Premises Products: Because customers are both the **Controller** and **Processor**, Agilysys generally does not maintain data processing records. For certain products, Agilysys may maintain certain ancillary data processing records (e.g., logs or system performance data).
- Hosted and SaaS Products: Agilysys maintains full data processing records.
- Business Relationship Data: Agilysys may retain records containing business data that customers and business partners voluntarily provide to support their business practices.
- Customer Support: Agilysys does not maintain records of customers' guests' data that could be accessed during the troubleshooting process, and deletes such records if they are inadvertently maintained.

Data Transfer Transparency

- On-Premises Products: Agilysys does not maintain, nor transfer data.
- Hosted, SaaS Products, and Business Relationship Data: Upon request, Agilysys will identify all international parties to whom we transfer data and will provide customers and Data Subjects with information related to such transfers.
- Customer Guest Data During Troubleshooting: Agilysys does not maintain, nor transfer, data related to its customers' troubleshooting requests.

Breach Notification Process

- On-Premises Products: Because customers are both the **Controller** and **Processor**, Agilysys would not have knowledge of any breach, and therefore lacks reporting requirements.
- Hosted, SaaS Products and Business Relationship Data: Agilysys documents data breaches and will timely notify data subjects if such a breach occurs.
- Customer Guest Data During Troubleshooting: Agilysys does not maintain records of customers' guests' data that could be accessed during the troubleshooting process, and deletes such records if they are inadvertently maintained. Nevertheless, if any such data is retained and subject to a data breach, Agilysys will timely notify Data Subjects if such a breach were to occur.

Internal Points of Contact

For specific questions that aren't answered here, please contact your Agilysys representative. You may also email the below points of contact, with "Agilysys GDPR" in the subject line.

- Jonathan Young — jonathan.young@agilysys.com
- Stephen Clay — stephen.clay@agilysys.com
- Robin Adams — robin.adams@agilysys.com