

Personal Data Protection Notice

Introduction to NTT DATA EMEAL Whistleblowing System

This message will provide you with information on how your Personal Data will be processed through the NTT DATA EMEAL Whistleblowing System. The Purpose of the Whistleblowing System is to provide you with a confidential channel to report (anonymously, if you prefer) the facts and other circumstances as listed in the paragraph 2 below.

Controller	NTT DATA Europe and LATAM S.L.U. (jointly with each of its Affiliates set out in Annex 1), as one of the Regional Sub-holdings of NTT DATA Corp., stock listed in Japan. NTT DATA Europe & LATAM S.L.U. in turn owns and / or control Affiliates registered inside and outside the European Economic Area.
Purpose	Handling whistleblowing reports affecting NTT DATA Europe & LATAM S.L.U. and/or any of its Affiliates as listed in Annex 1
Legal Basis	Fulfilling of legal obligations and public interest as better specified in Annex 2
Processor	Cuatrecasas, Gonçalves Pereira, S.L.P., as well as hosting provider and supplier of the channel as well as other third party engaged by Cuatrecasas on a case by case for the purpose of providing the services (e.g. translator etc.)
Rights	Access, rectification, erasure and other rights
Personal Data processed	Personal Data that you may decide to provide to this whistleblowing system include the following: (a) full name; (b) third party Personal Data derived from facts described by you in your report; (c) any other information you decide yourself to provide in the report, at the first filling-in stage, in case you wish to integrate your report already submitted or as invited to do so later on by Cuatrecasas, so as to provide us a better knowledge of the case and to carry out appropriate and/or necessary evaluation of the facts.

1. Who is the Controller of the Personal Data processing?

Identity: NTT DATA Europe & LATAM S.L.U. (hereinafter, the “Company” or “NTT DATA EMEAL”; NTT DATA EMEAL and Affiliates hereinafter “NTT DATA EMEAL Group”).
CIF: B-82387770
Address: Camino Fuente de la Mora 1, Madrid, Spain
Telephone: 917490000
Email: emeal.data.protection@nttdata.com
DPO: emeal.data.protection@nttdata.com

2. What is the purpose of our processing the Personal Data?

The purpose of processing Personal Data is to (A) handle whistleblowing reports affecting NTT DATA EMEAL and/or its Affiliate(s) for (i) any violation of NTT DATA EMEAL Group Values, behavior principles and guidelines for employees included in our Code of Conduct, as well as in our internal policies and regulations, (ii) any infringement of the rules, principles and guidelines of the NTT DATA EMEAL Foundation’s Code of Conduct and Good Governance, (iii) any breach of the legislation in force, (iv) any case that may imply a risk for any of the NTT DATA EMEAL Group entities or the Foundation’s business and reputation, (v) any conduct considered as generating an ethical conflict, (vi) any other fact or circumstance that could come up in a relevant NTT DATA EMEAL Company risk.

Your whistleblowing report will help us to carry out the necessary evaluations of the facts as reported, the internal investigations and then to take appropriate decisions and actions, inclusive of taking disciplinary

measures, if any against the employee reported by you to the extent applicable as result of the investigation and the applicable laws.

NTT DATA EMEAL also informs you that you can submit your Report in 2 different ways: (A) by identifying yourself (*Open Report*), or (B) by remaining anonymous (*Anonimous Report*), in which case you are not requested to provide your Personal Data. We encourage you to identify yourself in the Whistleblowing System in order to better help us to carry out effective investigations.

Personal Data will be processed maintaining the strictest possible confidentiality and will not be used for a purpose other than what indicated herein. In case you submit an Open Report, [each Affiliate set out in Annex 2](#) will assure the protection of the confidentiality of the information contained in the whistleblowing report as well as the anonymity of your identity.

3. To whom Personal Data will be shared?

Your Personal Data can be disclosed to companies forming part of NTT DATA EMEAL Group, in order to carry out, as needed, the appropriate evaluations, internal investigations and take appropriate decisions, inclusive of disciplinary measures; some of these companies are located in countries outside the European Economic Area that have not been declared to have an adequate level of personal data protection. You can consult the name and headquarters of the companies in NTT DATA EMEAL Group upon request by sending an email to emeal.data.protection@nttdata.com.

In addition, we may (a) share your Personal Data with external advisors, if necessary, engaged to ensure a fairly and adequate inquiry, and / or (b) be required to share your Personal Data with local authorities if mandatorily required by applicable laws.

NTT DATA EMEAL assures you that, when Personal Data are transferred outside the European Economic Area, the same level of protection will be maintained on the basis of compliance with the provisions of European Personal Data Protection Regulations. Accordingly, international data transfers will be done (i) to countries that the European Commission has declared to have an adequate level of protection, (ii) on the basis of the provision of adequate guarantees such as standard contractual terms or related corporate standards, or (iii) pursuant to the authorisation of the competent supervisory authority or to other conditions laid down in the applicable Personal Data Protection Regulations.

Your Personal Data will also be disclosed to Cuatrecasas, Gonçalves Pereira, S.L.P. which, under commitment of professional secrecy, (i) keeps your identity protected and ensures confidentiality, (ii) sends you an acknowledgement of receipt within 7 days, (iii) may request you to clarify or to complement the information reported in whistleblowing report, (iv) provides you with a feedback, within a reasonable period of time, about progress and outcome of whistleblowing report, (v) submits a preliminary assessment of the case and suggested actions only to NTT DATA EMEAL Chief Compliance & Risk Officer and Internal Audit Head, to fulfil their professional duties and in accordance with the Processing Principles set forth herein.

Cuatrecasas acts as Processor for the management of the Whistleblowing System and related reporting. In addition, Cuatrecasas can act as Autonomous Controller in providing a preliminary assessment of the case and recommended actions. In such last circumstances please contact data.protection.officer@cuatrecasas.com.

Your Personal Data are stored in the system hosted and managed by Business Keeper AG acting as Processor. The location of the system is Germany and will not be changed unless our prior authorization is granted. The Processor has implemented adequate technical and organizational measures to process your Personal Data and to ensure confidentiality, availability and integrity of the same. If you have any question on the mentioned measure please contact data.protection.officer@cuatrecasas.com and copy also emeal.data.protection@nttdata.com.

Cuatrecasas may also share Your Personal Data with third parties engaged for the provision of services strictly necessary to the Purpose such as translators of the report. Please contact data.protection.officer@cuatrecasas.com and copy also emeal.data.protection@nttdata.com for requiring list of the third parties.

Finally, your Personal Data could be disclosed to the relevant NTT DATA EMEAL Affiliate(s) as joint Controller(s), which, in liaison with NTT DATA EMEAL, may carry out the necessary internal assessment and investigation and take the relevant disciplinary measures. As required by applicable laws NTT DATA EMEAL will act as point of contact on behalf of the joint controllers so any request or right shall be addressed to the address indicated below although exercised also before any other joint controller.

4. What is the legal basis for the processing of Personal Data?

The legal basis for the processing of your Personal Data is to allow NTT DATA EMEAL and/or its relevant Affiliate to pursue a legitimate interest (Legitimate Interest), in order to carry out internal investigations to protect interests, assets, shareholders, stakeholders and goodwill and reputation of NTT DATA EMEAL Group. In addition, you can find in Annex 2 below the relevant legal basis whenever Special categories of Personal Data and/or Personal data relating to criminal convictions and offences are provided in your whistleblowing report.

The processing of your Personal Data is strictly required for managing the Whistleblowing System and fulfilling the abovementioned legal obligations by NTT DATA EMEAL Group. In no case NTT DATA EMEAL Group will take automated decisions based on the submitted Personal Data.

5. For how long will we retain your Personal Data?

Personal Data may be retained in the Whistleblowing System during the time required for carrying out and completing an internal investigation, evaluating facts and taking all the necessary measures and actions and will, in any case, be erased from the Whistleblowing System within three months of the introduction of the Personal Data within it; it may, however, continue to be processed in other systems for further 18 months, in order to investigate the facts as reported, or be retained as evidence of the way of functioning of NTT DATA EMEAL Group model for preventing illegal actions.

If, after such evaluation, a legal claim arises before a Judge or any other Public Authority, such Personal Data shall be stored for the additional period which is necessary to define such legal claim.

6. What are the joint controllers tasks?

NTT DATA EMEAL will act as single point of contact for your request under this policy, while NTT DATA EMEAL and its Affiliates act as joint Controllers in the management of your whistleblowing report according to the following split of tasks:

NTT DATA EMEAL:

- Establishes this centralized Whistleblowing System;
- Acts as point of contact with Cuatrecasas (which provides a preliminary assessment of the whistleblowing report to NTT DATA EMEAL Chief Compliance & Risk Officer and Internal Audit Head);
- (on a case-by-case basis) carries out internal investigations, with the cooperation of the relevant Affiliate, or decides to take over the management of the case and of the subsequent activities to the relevant Affiliate.
- Instructs Cuatrecasas if and when to close the relevant whistleblowing report.

Relevant Affiliate:

- (on a case-by-case basis) carries out internal investigations following take over by NTT DATA EMEAL; Evaluates and takes appropriate disciplinary actions, if any, in compliance with local labor law(s) requirements and company's policies and procedures. Both NTT DATA EMEAL and relevant Affiliate shall carry out the above tasks in compliance with the applicable legal principles regarding the protection of Personal Data under the EU General Data Protection Regulation 2016/679 (GDPR) provisions and requirements and the local personal data protection applicable laws, as far as applicable, as well as the NTT DATA EMEAL and Affiliate(s) Personal Data protection policies and in any case shall observe and enforce rigorous standards of prudence, continence, proportionality and confidentiality (Data Processing Principles).

NTT DATA EMEAL or Cuatrecasas, as duly delegated processor, will act as single point of contact to receive your DSRs as per paragraph below.

7. What are your rights?

Where applicable, you may request confirmation from NTT DATA EMEAL of whether your Personal Data are being processed and, in case the response is positive, you may have access to the Personal Data and request a copy of it. You may also request the rectification of incorrect information or, as appropriate, request its erasure when, among other reasons, Personal Data are no longer needed for the purposes for which they were collected.

In addition, in certain circumstances, you will be able to request that the processing of your Personal Data be restricted or object to the processing of your Personal Data.

In order to exercise the abovementioned rights, you should write to NTT DATA EMEAL clearly indicating the right that you would like to exercise, at one of the following addresses of Cuatrecasas:

- Departamento de Corporate Compliance de Cuatrecasas,
Calle Almagro, 9, CP 28010, Madrid
- canaldenuncias.everis@cuatrecasas.com

Finally, please be informed of your right to contact the Data Protection Officer of the NTT DATA EMEAL at emeal.data.protection@nttdata.com.

Annex 1

gen-ius dms GmbH
NTT DATA Europe & Latam Finance, S.L.U.
NTT DATA Deutschland GmbH
NTT DATA Argentina, S.A.
NTT DATA Belgique SPRL
NTT DATA Brasil Consultoria de Negócios e Tecnologia da Informação Ltda.
NTT DATA Brasil Operações Ltda.
Lean Grids Services Chile, SPA
NTT DATA Chile BPO Servicios Profesionales, Técnicos y Tecnológicos, Limitada
NTT DATA Chile Centers, Limitada
NTT DATA Chile Training, Limitada
NTT DATA Chile, S.A.
NTT DATA Latam Centers, Limitada
NTT DATA Colombia BPO, S.A.S.
NTT DATA Colombia, S.A.S.
Aplicaciones de Simulación Simtec, S.L.
ARILION, S.L.U.
BILLIB, S.L.U.
Cetel Ingeniería de Sistemas, S.L.U.
Everis Aeroespacial y Defensa, S.L.U.
NTT DATA Europe & Latam Green Engineering, S.L.U.
Everis Initiatives, S.L.U.
Everis Mobile, S.L.U.
NTT DATA Spain Sistemas de Seguridad, S.L.U.

Fit Inversión en Talento, S.A.U.
Ideals Innovation & Technology Venturing Services, S.L.
Lean Grids Services, S.L.
NTT DATA Spain BPO, S.L.U.
NTT DATA Spain Centers, S.L.U.
NTT DATA Spain Infrastructures Engineering, S.L.U.
NTT DATA Spain Infrastructures Operations, S.L.U.
NTT DATA Spain Soluciones Tecnológicas S.L.U.
NTT DATA Spain, S.L.U.
NTT DATA Europe & Latam Centers, S.L.U.
NTT DATA Europe & Latam, S.L.U.
NTT DATA Europe & Latam, Branch in USA, Inc
Everis Italia, Spa
NTT DATA Italia SpA
Sistemas de Control Remoto, S.L.
NTT DATA Morocco Centers, S.A.R.L.
NTT DATA México BPO, S. de R.L. de C.V.
NTT DATA México S. de R.L. de C.V.
NTT DATA Perú BPO, S.A.C.
NTT DATA Perú, S.A.C.
NTT DATA Portugal Centers, Unipessoal Lda.
NTT DATA Portugal Outsourcing de Processos, Sociedade Unipessoal, Lda.
NTT DATA Portugal, S.A.
BPXNet, Limited
NTT DATA EMEA Ltd.
NTT DATA UK Ltd.
NTT DATA Romania S.A.

Everis consultancy, Limited
Everpross, S.L.U.
NTT Data Croatia d.o.o.
IFI Solution Company Ltd.
Keane Pension Trustees Limited
NTT DATA Romania, S.A., Branch in Serbia
NTT DATA Deutschland GmbH, Branch in Zurich
NTT DATA Deutschland GmbH, Branch in Bern
NTT DATA Deutschland GmbH, Branch in Austria
NTT DATA UK Ltd., Branch in Ireland
NTT DATA UK Ltd., Branch in Netherland
NTT DATA Spain, S.L.U., Branch in Netherlands
NTT DATA Spain, S.L.U., Branch in Luxembourg
NTT DATA Spain, S.L.U., Branch in Belgium
NTT DATA Spain, S.L.U., Branch in France
NTT DATA Spain, S.L.U., Branch in Colombia
NTT DATA Spain, S.L.U., Branch in Switzerland
NTT DATA Perú, S.A.C., Branch in Ecuador
NTT DATA Spain BPO, S.L.U., Branch in Perú
NTT DATA BELGIQUE SRL GREEK BRANCH
NTT DATA Romania SA, Branch in Turkmenistan

Annex 2

COUNTRY	<p><i>Special categories of personal data</i> LEGAL BASIS OF PROCESSING UNDER ART. 9 OF GDPR AND LOCAL APPLICABLE PERSONAL DATA PROTECTION LAWS</p> <p>NOTE: legal basis under article 9 of GDPR:</p> <ul style="list-style-type: none"> a) data subject has given explicit consent to processing of personal data; b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the Controller or of the data subject in the field of employment and social security and social protection law; c) processing relates to personal data which are manifestly made public by the data subject; d) processing is necessary for the establishment, exercise or defend legal claims or whenever courts are acting in their judicial capacity; e) processing is necessary for reasons of substantial public interest. 	<p><i>Criminal convictions and offences or related security measures</i> LEGAL BASIS OF PROCESSING UNDER ART. 10 OF GDPR AND LOCAL APPLICABLE PERSONAL DATA PROTECTION LAWS</p> <p>NOTE: legal basis under article 10 GDPR: processing is authorised by EU or Member State law.</p>
Andorra		
Argentina		
Austria	There is no additional legislation and/or guidance for the processing of personal data under articles 9 and 10 GDPR.	
Belgium		
Brazil		
Bulgaria		
Chile		
Colombia		
Croatia		
Ecuador		
France		
Germany	To exercise rights or fulfill legal obligations under labour law, social security law and social protection law (section 26 (3) sentence 1 Federal Data Protection Act (Bundesdatenschutzgesetz - BDSG)).	To uncover the alleged criminal offence as reported in the whistleblowing report (Section 26 (1) sentence 2 of the Federal Data Protection Act (Bundesdatenschutzgesetz - BDSG)).
Greece		
Ireland		
Italy	According to Article 2-septies of the Legislative Decree 196/2003 processing of special categories of personal data must comply with the safeguards to be set by the Italian Data Protection Authority (IDPA) in a specific provision. Currently such provision has not been adopted yet and therefore some conditions identified by IDPA pre-GDPR "General Authorization" (as specified in the IDPA provision issued on 5 June 2019 according to art. 21, par. 1 Legislative Decree 10 August 2018,	The legitimate interests to exercise company's right before Courts or to avoid its liability under Italian Legislative Decree 231/2001 as well as its binding duty to comply with legal obligations.

	n. 101, on the processing of special categories of personal data), remain applicable and can legitimate certain data processing activities. They include the compliance with legal obligations or to exercise or defend a right before Courts or to protect the life or safety of the workers or third parties. If special categories of personal data is included in reports, is to avoid the company liability according to Legislative Decree 231/2001.	
Luxembourg		
Mexico		
Morocco		
Netherlands		
Panama		
Peru		
Poland		
Portugal		
Romania	GDPR rules shall be applicable as there is no specific national legislation or any recommendations/guidelines from the Romanian data protection authority (ANSPDCP - National Supervisory Authority For Personal Data Processing) on this matter.	
Serbia		
South Africa		
Spain	<ul style="list-style-type: none"> • To comply with the obligation to handle and investigate the whistleblowing report (Organic Law 10/1995 of 23 November and Criminal Code); • To protect public interest (in the terms established in Article 6.1.e of EU Regulation 2016/679 and as defined in Article 24 of Organic Law 3/2018 of 5 December on Data Protection and the Guarantee of Digital Rights, consisting in the creation and maintenance of a system of information on internal complaints and the investigation of possible irregularities or acts contrary to morality, the law or the corporate standards of companies). 	
Switzerland	<p>Under article 13 of the Federal Act on Data Protection of 19 June 1992 (FADP), legal basis for processing can be (i) consent of data subject, (ii) a statutory provision or (iii) overriding private or public interest, like:</p> <ul style="list-style-type: none"> • To comply with statutory obligations to have a whistleblowing system in place; • To prevent criminal acts committed within or against the company; • To protect the health and safety of the employees and other individuals for which the company is or may be responsible; • To prevent harassment, mobbing an suchlike of employees and other individuals for which the company is or may be responsible; • To prevent breaches of internal policies or contractual obligations. 	
Turkmenistan		
UK	<ul style="list-style-type: none"> • To comply with an employment law obligation (such as ensuring health and safety at work, protecting against discrimination or otherwise in line with the employer's duty of care) under Art 9(2)(b) UK General Data Protection Regulation (UK GDPR)); • To establish, exercise or defend legal rights under Art 9(2)(f), where someone is alleging that a legal right has been breached or a claim is made, threatened or otherwise meaningfully alluded to; 	<ul style="list-style-type: none"> • To prevent and/or detect unlawful acts (paragraph 10, Schedule 1, Part 2 UK Data Protection Act 2018 (DPA)); • To protect the public against dishonesty (including malpractice or other serious improper conduct) (paragraph 11, Schedule 1, Part 2 DPA); • necessary for the administration of justice (paragraph 7, Schedule 1, Part 2 DPA); • To prevent fraud (paragraph 14, Schedule 1, Part 2 DPA).

	<ul style="list-style-type: none"> • If there are concerns about the health of an individual, for the purposes of the assessment of the working capacity of an employee under Art 9(2)(h) UK GDPR; • When processing is necessary in the substantial public interest under Art 9(2)(g) UK GDPR (typically around racial discrimination and/or public health); or • In serious cases, to protect the vital interests of a specific individual (Art 9(2)(c)) UK GDPR. 	
USA		
Vietnam		