

# IFS INTERNATIONAL DATA TRANSFERS FAQ

## Commonly asked questions about IFS' international transfers of personal data

### What are 'international transfers' of EU personal data?

The General Data Protection Regulation ("GDPR") requires that when personal data is transferred outside the European Union ("EU") or European Economic Area ("EEA"), it must be granted an essentially equivalent level of protection in the country its transferred to. Such 'international transfers' are protected by a number of legal mechanisms.

### How does IFS protect customer data transferred outside of the EEA?

IFS relies on EU Commission adequacy decisions and Standard Contractual Clauses ("SCC's") for transfers of customer data to its non-EU sub-processing affiliates ("Affiliates"), together with a variety of legal, technical and operational safeguards, and based on a comprehensive transfer impact assessment ("TIA") (which are available on request) carried out, in line with the requirements of EU law and the EDPB Recommendations.

### Is IFS using the updated Standard Contractual Clauses issued in June 2021?

Yes, IFS has implemented the updated SCCs issued by the European Commission in June 2021. The updated SCCs cover a broader range of scenarios and enhance the data protection obligations on both data controllers and data processors than the previous version. They also improve the protections for individual data subjects. IFS is making all necessary arrangements regarding the implementation of these new SCCs within the permitted transition period and, where applicable, will be proactively incorporating them into all relevant intra-group, customer, vendor and partner contracts.

### What is IFS' position on the EDPB Recommendations on supplementary measures?

Our transfer impact assessments fully considers all aspects of the EDPB Recommendations, based on the circumstances of the international transfers carried out. Our Data Processing Addendum detail our technical and organizational measures.

### IFS Sub-Processors

IFS carries out international transfers to its Affiliates (details of which are set out in our standard DPA) for the purposes of providing our follow-the-sun 24/7 support.

## **Are IFS' Sub-Processors bound by the Standard Contractual Clauses?**

Yes. IFS has an intra-group Data Transfer and Processing Agreement in place, to which all relevant non-EU Affiliates are a party, which incorporates the protections of the SCCs. IFS also enters into SCCs directly with customers, vendors and partners, where required.

## **Has the invalidation of Privacy Shield affected IFS?**

No. In July 2020, the Court of Justice of the European Union held that the Privacy Shield, a mechanism used to validate transfers to the United States, could no longer be used to validate the transfer of personal data from the EEA to the US. However the Court also confirmed that alternative transfer mechanisms, such as the SCCs relied upon by IFS, continue to be valid.

## **How does IFS handle requests from public authorities for access to customer data?**

As set out in our standard DPA, IFS will never provide customer data in response to public authority requests, unless we reasonably believe we are legally required to do so. Due to the nature of our services, it is actually unlikely that we would receive such requests, but in that unusual scenario, our approach is always that we would always first redirect such requests to the customer and notify the customer, where legally permitted to do so.

## **Has Brexit adversely impacted IFS' international data transfers?**

No. UK has now been granted an adequacy decision, so any transfers of EEA customer data into the UK are permitted by this. We are monitoring the developments in the UK in relation to potential new UK SCCs and will implement those (if approved) with our UK customers in due course if/when necessary, in relation to transfers of data out of the UK.