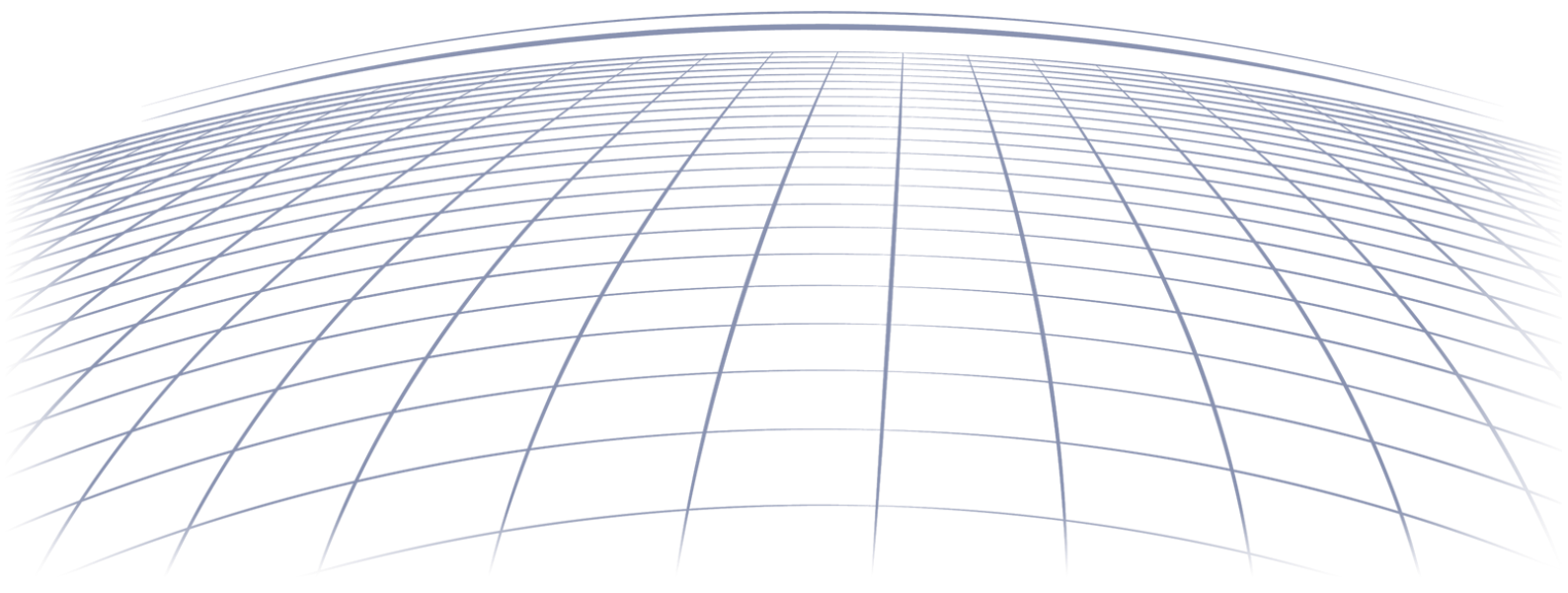


Privacy Notice – Third Parties

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Ark, Ark Data Centres, The Arks, ArkNet, Cody Park and Spring Park are trading styles of Ark Data Centres Limited, registered in England and Wales number 05656968.

Registered and Head office: Spring Park, Westwells Road, Hawthorn, Corsham, Wiltshire, SN13 9GB

Privacy Notice – Third Parties

1 Introduction

- 1.1 Ark Data Centres Limited and our group companies (collectively "Ark", "we", "us") take the security and privacy of data seriously. We need to gather and use certain information or 'data' about you in order to perform to manage our relationship with you. In addition, we are also required to comply with our legal obligations under applicable privacy laws, including the UK General Data Protection Regulations ("GDPR").
- 1.2 This Privacy Notice explains who we are, how we collect, share and use personal data about you and how you can exercise your privacy rights. This Privacy Notice only applies to external visitors to our facilities. It does not apply to our employees, who should read our separate Employee Privacy Notice. Personal data captured as part of the recruitment process and how this is managed is outlined within the Recruitment Privacy Policy (5223-A-Privacy Notice (Recruitment)).
- 1.3 If you have any questions or concerns about our use of your personal data, then please contact us using the contact details provided at the bottom of this Privacy Notice.

2 What do we do?

- 2.1 Ark designs, builds and operates data centres. Our data centres are secure facilities for our clients to host servers for the operation of their businesses. Security is therefore essential to the operation of our facilities and we must operate comprehensive security and monitoring systems in order to protect our facilities and our clients.

3 What data does Ark collect and why?

- 3.1 Ark will collect, process and retain information about you that you provide voluntarily, that we collect automatically and that we obtain from third party sources, such as your employer.
- 3.2 When you engage with us, we may ask you to provide personal information to us. The personal information we may collect about you includes:
 - Identity and Contact Data: identity (name) and contact details, email address, address, telephone number, vehicle registration number (where applicable), and verification of clearances of held (where relevant);
 - Biometric Data: biometric fingerprint data for the operation of our security systems for access to data centre buildings and data halls, where you have provided consent for us to enrol and use your biometric fingerprint data on access cards that we may issue to you;
 - Health Data: in response to external events such as public health emergencies (domestic or international), we may require information on travel and movements (abroad and within the United Kingdom), specific health symptoms experienced within a specific time period or exposure to others displaying those symptoms;

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- Communications Data: Data shared with us over email or through our contact us page either in response to a request or where you are an existing customer for the general management of your relationship with us; and
- Financial Data: Data which relates to your contractual relationship with us to manage payments, fees and charges.

3.3 When you visit our website, visit our offices or connect to our IT systems we collect certain information automatically. In the UK this information may be considered personal under applicable data protection laws.

3.4 We collect the following information automatically:

- Technical Data: information that identifies persons and/or devices making use of Ark networks including IP address, MAC address, device IDs or "fingerprints", usage information (such as the time, duration and location where you used our networks) and administrative information (for example to obtain assistance or help with technical difficulties). This also includes technical information collected via our website such as the pages accessed and clicks linked;
- Image Data: CCTV footage and images of persons on or about Ark premises;
- Audio Data: where you attend a call or webinar where it is recorded; and
- Location Data: location information for persons at Ark premises including without limitation access logs from card readers and other access control devices at Ark premises.

3.5 From time to time we may receive personal information about you from a third party source, but only where we have checked that these third parties either have your consent or are otherwise legally permitted or required to disclose your personal information to us.

3.6 Generally, where we obtain personal information from a third party source this is your employer, and will be the provision of your contact details where we have a contractual relationship and you are the point of contact or where you wish to raise any issues or concerns with us regarding our services.

4 Ark's processing purposes and legal basis

4.1 Our purposes for collecting the personal information set out above and the lawful basis on which we process such data will depend on the personal information concerned, the context in which we collect it and your relationship with us.

4.2 We have set out a description of the ways we will use your personal information and which of the legal bases we rely on to do so in the table below.

4.3 In certain situations, we require your data to pursue our legitimate interests in a way which is reasonable for you to expect as part of running our business and which does not materially affect your rights and freedoms. We have identified below what our legitimate interests are.

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- 4.4 We take measures to ensure that your personal data is kept secure and to limit our processing activities to what is necessary for our legitimate interests. We also give you the right to object to processing that we undertake for our legitimate interests (please see the section entitled "your data protection rights" below); however please note that if you exercise your right to object to some of our processing activities, we may need to restrict your access to our data centre facilities.
- 4.5 In some cases, we may also have a legal obligation to collect personal data from you or may otherwise need the personal data to protect your vital interests or those of another person (e.g. for the purposes of contacting emergency services in the event of an accident or incident at our facilities). We may also obtain your consent where we need to process certain special categories of data (including biometric data) for the operation of our security systems.
- 4.6 If we ask you to provide personal data to comply with a legal requirement or to perform a contact with you, we will make this clear at the relevant time and advise you whether the provision of your personal data is mandatory or not (as well as of the possible consequences if you do not provide your personal data).

Purpose / Activity	Type of data	Lawful basis for processing including basis of legitimate interests
<i>Site visitors</i>		
To operate and manage our data centre facilities and our group data centre business	(1) Identity and Contact Data (2) Image Data (3) Location Data (4) Technical Data (5) Biometric Data (6) Health Data (7) Audio Data	(a) Performance of a contract where your visit relates to your contractual relationship with us (b) Necessary to comply with a legal obligation where we are required under UK law to obtain health data (c) Necessary for our legitimate interests to make our site available to you and to manage your visit with us (d) Explicit consent where you provide it for biometric data processing.
To ensure our data centre facilities are kept secure	(1) Identity and Contact Data (2) Image Data (3) Audio Data (4) Location Data (5) Biometric Data (6) Verification of Security Clearances held	(a) Necessary for our legitimate interests to protect our business and staff by keeping our facilities secure. (b) Explicit consent where you provide it for biometric data processing (c) Explicit verbal consent where you provide it for image and audio data captured by body worn cameras.

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Purpose / Activity	Type of data	Lawful basis for processing including basis of legitimate interests
To detect breaches of policy or procedure or identify criminal activity	(1) Image Data (2) Location Data (3) Technical Data	Necessary for our legitimate interests to protect our business from criminal activity or breaches of policy either through physical threats or through online threats.
To protect you in the event of an emergency	(1) Identity and Contact Data (2) Health Data	Necessary to protect your vital interests where your safety or health is at risk.
<i>Emergency contacts</i>		
To contact in the event of an emergency	(1) Contact Data	Necessary to protect the vital interests of the individual where a person's health or safety is at risk.
<i>Website visitors</i>		
To fulfil any requests submitted via our contact page	(1) Contact Data (2) Communications Data	(a) Performance of a contract where you have one with us. (b) Necessary for our legitimate interests to engage with you and respond to your requests.
To understand how you use our website and for data analytics so we can improve our website	(1) Technical Data	Necessary for our legitimate interests to improve the quality and relevance of our website.
<i>Suppliers and Customers (past, present & future)</i>		
To manage our relationship with you and deliver our data centre services.	(1) Identity and Contact Data (2) Communications Data (3) Financial Data (4) Audio Data	Performance of a contract with you.
To send marketing and promotional content	(1) Contact Data	(a) Necessary for our legitimate interests to promote our offering to you (where consent is not required) (b) Where consent is required, with your consent.
<i>All</i>		
To share information with law enforcement and others, in circumstances where this is necessary to protect you, our staff, our business or our facilities	(1) Identity and Contact Data (2) Image Data (3) Technical Data (4) Location Data	(a) Necessary for our legitimate interests to protect you, our staff, our business and facilities. (b) Necessary to protect vital interests where there is a risk of harmful conduct or a person's safety is at risk.

5 Cookies and similar tracking technology

- 5.1 We use cookies and similar tracking technology (collectively, “Cookies”) to collect and use personal data about you. For further information about the types of Cookies we use, why, and how you can control Cookies, please see our [Cookie Notice](#).

6 Who do we share your personal data with?

- 6.1 We may disclose your personal data to the following categories of recipients:

- to our group companies, who provide data processing services to us or who otherwise process personal data for purposes that are described in this Privacy Notice. A list of our current group companies is available [here](#).
- to data centre occupiers, third party contractors, services providers or suppliers and partners who provide data processing services to us (for example, to support the delivery of, provide functionality on, or help to enhance the security of our website or to provide security services to us for the management of our data centres), or who otherwise process personal data for purposes that are described in this Privacy Notice or notified to you when we collect your personal data. We work with the following types of third party service providers:
 - insurers to assess risk and manage claims. To be able to provide their services, these providers receive personal data that may be relevant to whatever claims are made;
 - security service providers to provide security services in relation to our data centre facilities and our business operations. To be able to provide their services, these providers receive personal data for the security systems that they operate, including data such as CCTV footage, identification data on entry, biometric data for security card enrolment, and similar data;
 - technical facilities management and other outsource services providers who we may engage to support our business operations. To be able to provide their services, these providers receive personal data processed in the context of their services, which may include
 - construction contractors to undertake construction, fit out and associated services at our data centre facilities. To be able to provide their services, these providers will receive personal data of anyone needing to enter the construction, design and management space that they are responsible for, identification and health related details concerning such persons, and photographs and other data that they may collect and process in the performance of their construction, design and management activities;
 - IT Services providers - for provision, management and support of our IT services and infrastructure.
- to any competent law enforcement body, regulatory, health, government agency, court or other third party where we believe disclosure is necessary (i) as a matter of

applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person;

- to an actual or potential buyer (and its agents and advisers) in connection with any proposed purchase, merger or acquisition of any part of our group's business, provided that we inform the buyer it must use your personal data only for the purposes of assessing the proposed purchase, merger or acquisition or for such other purposes that are disclosed in this Privacy Notice; or
- to any other person with your consent to the disclosure.

7 Who will process your personal data and where will it be processed?

7.1 Your personal data may be processed by Ark and by those categories of third parties to whom we are entitled to disclose your personal data. Your personal data may be transferred to and processed in countries other than the United Kingdom. These countries may have data protection laws that are different to the laws in the United Kingdom (and, in some cases, may not be as protective).

7.2 Specifically:

- services hosted by third party suppliers are held in data centres across UK, European Economic Area (EEA) and USA;
- our group companies operate in the United Kingdom, EEA and the Isle of Man;
- the information and communications systems that we use to operate and management our data centre facilities (including our security systems and wireless networks) are located in the United Kingdom and the European Economic Area.

7.3 With the exception of any initial contact via the Ark website, we do not generally process personal data outside of the UK. Where we do transfer your personal data outside of the UK to a country which is not subject to an adequacy decision, we have taken appropriate safeguards to require that your personal data will remain protected in accordance with this Privacy Notice. The safeguards we use are the European Commission's Standard Contractual Clauses for transfers of personal data to third parties, including the UK Addendum. These require those recipients to protect personal data they process from the UK in accordance with UK data protection law.

7.4 Our Standard Contractual Clauses and UK Addendum can be provided on request. Please note that some sensitive commercial information may be redacted.

8 How do we keep your personal data secure?

8.1 We use appropriate technical and organisational measures to protect the personal data that we collect and process about you. The measures we use are designed to provide a level of security appropriate to the risk of processing your personal data. Specific measures we use include: encryption; anonymization (where practicable); document classification; and all relevant controls from ISO 27001 (an internationally recognised information security standard).

9 How long will we retain your personal data?

- 9.1 We retain personal data that we collect about you where we have an ongoing legitimate business need to do so (for example, to maintain the security of our data centre facilities or to comply with applicable legal, tax or accounting requirements).
- 9.2 Where we have no ongoing legitimate business need to process your personal data, we will either delete or anonymise it or, if this is not possible (for example, because your personal data has been stored in backup archives), then we will securely store your personal data and isolate it from any further processing until deletion is possible.
- 9.3 In general, we will keep your personal data for the following periods:
- identity and contact details – for as long as you hold an Ark access card;
 - CCTV footage and images of persons at Ark premises – in accordance with our contractual requirements - generally this will be 30 days unless we are required to keep it for a longer period of 90 days due to compliance with applicable laws or standards such as PCI DSS compliance (unless an incident occurs – such as a suspected crime or security breach – which requires us to keep footage and images relevant to the incident for a longer period of time);
 - Bodyworn camera footage, images and audio of persons at Ark Premises - generally this will be 30 days (unless an incident occurs – such as a suspected crime or security breach – which requires us to keep footage and images relevant to the incident for a longer period of time);
 - location information for persons at Ark premises – no longer than 9 years;
 - information that identifies persons and/or devices making use of Ark networks – no longer than 6 years;
 - biometric fingerprint data – for as long as you hold an Ark access card;
 - information needed to verify Security clearance – no longer than 30 days;
 - contact details for sales and marketing – until you unsubscribe or otherwise object to or opt-out from our sales and marketing information (in which case we will still retain some basic details for the purposes of operating our suppression lists to ensure that we can respect your wishes).

10 Your data protection rights

- 10.1 You have the following data protection rights:
- If you wish to access, correct, update or request deletion of your personal data, you can do so at any time by contacting us using the contact details provided under the “How to contact us” heading below.
 - In addition, you can object to processing of your personal data or ask us to restrict processing of your personal data. Again, you can exercise these rights by contacting us using the contact details provided under the “How to contact us” heading below.

- You have the right to opt-out of marketing communications we send you at any time. You can exercise this right by clicking on the “unsubscribe” or “opt-out” link in the marketing e-mails we send you. To opt-out of other forms of marketing (such as postal marketing or telemarketing), then please contact us using the contact details provided under the “How to contact us” heading below.
- Similarly, if we have collected and process your personal data with your consent (for example, for the enrolment and use of your biometric fingerprint data for your security access card), then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal data conducted in reliance on lawful processing grounds other than consent.
- You have the right to complain to a data protection authority about our collection and use of your personal data. For more information, please contact the UK Information Commissioner's Office.

10.2 We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

10.3 Please note that, if you exercise your data protection rights in a way that will impact on the normal operation of our data centre facilities, then we may need to restrict your access to our facilities.

11 Updates to this Privacy Notice

11.1 We may update this Privacy Notice from time to time in response to changing legal, technical or business developments. When we update our Privacy Notice, we will take appropriate measures to inform you, consistent with the significance of the changes we make. We will obtain your consent to any material Privacy Notice changes if and where this is required by applicable data protection laws.

11.2 You can see when this Privacy Notice was last updated by checking the “Last Updated date” displayed at the top of this Privacy Notice.

12 How to contact us

12.1 If you have any questions or concerns about our use of your personal data, please contact us using the following details:

12.2 E-mail GDPR@ark-d-c.com or write to the Commercial Director at the address below.

12.3 The data controller of your personal data is Ark Data Centres Limited, Spring Park, Westwells Road, Corsham, Wiltshire, SN13 9GB, United Kingdom.