



# Netintelligence

Ni Data Protection. A Guide

[www.netintelligence.com](http://www.netintelligence.com)

### Introduction

This document is the result of a review of Netintelligence's compliance with the Data Protection Act 1988 & Data Protection Act & The Privacy & Electronic Communications (EC Directive) regulations 2003. The review specifically focused on the Netintelligence family of products including storage and associated business systems.

Where Netintelligence provides the service on behalf of a partner as a 'white label' solution, it is classed as a data processor.

The Data Protection Act introduces express obligations upon data controllers when the processing of personal data is carried out by a data processor on behalf of the data controller. In order to comply with the Seventh Principle the data controller must – choose a data processor providing sufficient guarantees in respect of the technical and organisational security measures they take, they must take reasonable steps to ensure compliance with those measures, and ensure that the processing by the data processor is carried out under a contract, which is made or evidenced in writing, under which the data processor is to act only on instructions from the data controller.

The contract must require the data processor to comply with obligations equivalent to those imposed on the Version 1 [as print date] Data Protection Act 1998 42 data controller by the Seventh Principle.

Where Netintelligence provides its services direct to an end user, it is classed as a Data Controller.

The Data Protection Act applies specifically to information kept on individuals and applies these eight principles.

The information must be:

- **Fairly and lawfully processed**
- **Processed for specific purposes**
- **Adequate, relevant and not excessive**
- **Accurate, and where necessary, kept up to date**
- **Not kept for longer than is necessary**
- **Processed in line with the rights of the individual**
- **Kept secure**
- **Not transferred to countries outside the European Economic Area unless there is adequate protection for the information**

The Netintelligence product family has two distinct product lines: An hosted Mail Filter & an web based internet security service. The web based internet security services includes business and consumer variants. The Mail Filter and the business variant of the internet security service are business products and the subsequent data stored is not covered by the provisions of the Act; however, the same information management and storage principles are applied to all the data collected by the Netintelligence.

### Compliance

#### **Principle 1 - Fairly and lawfully processed**

All data collected is provided by the end user of the service and is either information required for billing, communication or to provide the end user with reports as detailed in the current product specification. All data is collected and used for the purpose intended.

#### **Principle 2 - Processed for specific purposes**

Netintelligence collects the following data:

1. Billing data comprising a contact e-mail address and credit card/financial details.
2. Websites visited – used for customer reports.
3. Instant Messenger conversations – used for customer reports.
4. Software used – used for customer reports.

*Note: Where Netintelligence acts as a data processor, the end users credit card/financial details are not collected. License Key is collected to provide 2nd line support and billing information for the data controller. An end user email address is also collected (if offered) to provide a 'lost password request'.*

All data collected is for a specific purpose.

#### **Principle 3 - Adequate, relevant and not excessive**

All data collected is either for billing, reporting or support and is relevant and not excessive.

#### **Principle 4 - Accurate, and where necessary, kept up to date**

1. Credit card data is verified on signup and is only stored if correct.
2. Contact details are verified and are only stored if correct.
3. Reporting data is received periodically from customer machines.
4. Customer name and address details are supplied by the customer and updated when the customer provides further information.

All data collected is accurate and up to date.

*Note: Where Netintelligence acts as a data processor, only the data described in point 3 is collected.*

#### **Principle 5 - Not kept for longer than is necessary.**

1. End User data is kept for the duration of the contract.
2. Billing data is kept as required by the Inland Revenue and HMCE.
3. End User reporting data is kept for 30 days for the consumer variant & 90 Days for the business variant of the internet security products. Email data that is collected via the Mail Filter product may be kept as long as the end user requires as stipulated in the contract e.g. for archiving and storage purposes

*Note: Where Netintelligence acts as a data processor, only the data described in point 3 is collected.*

### **Principle 6 - Processed in line with the rights of the individual**

All data provided by the end user is verified and visible to the individual. All internally generated data will be made available on request.

*Note: Where Netintelligence acts as a data processor, only provides the data for the end user reports. Netintelligence can not vouch for the visibility to the end user of any other data. This will be provided by the data controller.*

### **Principle 7 - Kept secure**

1. All data is backed up on multiple servers in real time.
2. All data is backed up offsite on a daily basis.
3. Access to the data is restricted to named Netintelligence employees.

The data is secure, adequately backed up and access is restricted to approved personnel.

### **Principle 8 - Not transferred to countries outside the European Economic Area unless there is adequate protection for the information**

No data is transferred to countries outside the European Economic Area.

## **Commitment to Data Security**

Netintelligence is committed to protecting both our own and your end user's data private and secure. To keep non-public information both personal and private, we have established the following policies:

1. We never sell information to other companies for their independent marketing purposes.
2. We maintain physical, electronic and procedural safeguards to prevent unauthorised access to end user's personal information, and to protect end users against the criminal misuse of that information.
3. We restrict access to end user account(s) to only those employees involved in providing the services requested. All authorised Netintelligence employees are required to keep end user information confidential.
4. We do not share the information that we collect on end users within the iomart group plc family of companies

In some cases, we are required or permitted by law to provide information about end users to third parties without their consent. For example: responding to a subpoena or similar legal process. Where Netintelligence acts as a data processor such requests will be made via the data controller.

## **Conclusion**

The Netintelligence family of products, supporting systems and storage comply with the Data Protection Act & The Privacy & Electronic Communications (EC Directive) regulations 2003



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