Impartiality Policy and A Public Statement on the Impartiality

EY PFS SOLUTIONS S.À R.L. the legal entity responsible for GDPR-CARPA certification (i.e., GDPR-Certified Assurance Report-Based Processing Activities Certification); reference to EY PFS SOLUTIONS S.À R.L. in this Policy and Public Statement refers only to EY PFS Solutions S.à r.l. as Certification Body. This policy document contains the following issues:

1. Impartiality Policy of the Certification Body of the EY PFS SOLUTIONS S.À R.L.
2. EY PFS SOLUTIONS S.À R.L. Impartiality Norms for the Certification Body
3. Public Statement on impartiality (as it will appear on the EY website)

They are stated below:

1. Impartiality Policy (E/SYS/02)

1.1. EY PFS Solutions S.à r.l. as Certification Body, its Executive Member of Board of Managers, Staff, and Subcontractors (where applicable) fully understand the importance of impartiality in undertaking its GDPR-CARPA certification. EY PFS Solutions S.à r.l. as Certification Body will therefore ensure that, in all its dealings with clients or potential clients, all employees or other personnel are and will remain impartial. To ensure that impartiality is both maintained and can be demonstrated, the following principles have been established.

1.2. Certificate of conformity to the certified processing activities and their involved processing operations is only issued after approval of authorized person to ensure that no interest shall predominate. The certification body shall obtain written confirmation of compliance with its policies and procedures on independence from all certification body personnel required to be independent by relevant ethical requirements on an annual basis.

1.3. EY PFS Solutions S.à r.l. as Certification Body does not have (and will not form) any relationships with companies that perform the processing activities and operations under certification (other than agreement on certification). Any proposed relationship between EY PFS Solutions S.à r.l. as Certification Body and any other company will undergo a risk assessment by the Executive Member of Board of Managers for Impartiality prior to that relationship being formalized. Any current relationships with companies, organizations, and individuals will be assessed on a regular basis to ensure that the relationship does not impact upon the impartiality of the GDPR-CARPA certification.

1.4. Individuals employed by or otherwise contracted to EY PFS Solutions S.à r.l. as Certification Body are required to document and record their current and past relationships with all companies / GDPR related inspection agencies / GDPR related testing laboratories/others where there are chances of conflict of interest considering the nature of activities. Any situation past or present, which may present a potential conflict of interest, is required by EY PFS Solutions S.à r.l. as Certification Body to be declared. EY PFS Solutions S.à r.l. as Certification Body will use the information to identify any threats to impartiality and will not use that individual in any capacity unless they can demonstrate that there is no conflict of interest.

1.5. EY PFS Solutions S.à r.l. as Certification Body will not appoint any employee or subcontractor (where applicable) to the GDPR-CARPA certification-related activities and services where any past relationship has existed with the client.
1.6. EY PFS Solutions S.à r.l. as Certification Body does not and will not offer any commission (‘finders fees’ or other inducements) to any individual or company in respect of referrals of clients unless:

(a) The terms and conditions of any such referral are clearly established and can be demonstrated, and it can also be demonstrated that the fee is for a referral and the fact that a commission has been paid will in no way affect the outcome of the GDPR-CARPA certification.

(b) A risk assessment (to establish the potential for an unacceptable threat to impartiality) has been carried-out on the process through which any such payment is made to an individual or organization (usually a consultant) requesting the commission for referrals.

(c) All such payments are documented, recorded, and traceable, and accompanied by purchase orders and invoices.

EY PFS Solutions S.à r.l. as Certification Body will ensure that it is not linked or marketed in any way which links it with the activities of an EY organization that provides consultancy and will take appropriate action should any such link be identified. Certification body shall not state or imply that certification would be simpler, easier, faster or less expensive if a specified consultancy organization were used.

1.7. Certification personnel and others involved in the GDPR-CARPA certification-related activities and services are not and will not be put under any pressure and will not be influenced in any way to come to a particular conclusion regarding the result of the GDPR-CARPA certification.

2. EY PFS SOLUTIONS S.À R.L. Impartiality Norms for the Certification Body:

2.1. EY PFS Solutions S.à r.l. as Certification Body shall not recruit any person whose relative is working permanently (means the client, who is giving regular business) at the client’s place.

2.2. No outsourcing of external experts for the GDPR-CARPA certification-related activities and services who are already working for that client.

2.3. No fees for referral are to be paid to any organization engaged in similar activities.

2.4. Adherence to all accreditation and other related EY PFS SOLUTIONS S.À R.L. policies.

2.5. The certification body of the EY PFS SOLUTIONS S.À R.L. shall not carry-out any other conflicting services other than its core business of the GDPR-CARPA certification-related activities and services.

2.6. EY PFS Solutions S.à r.l. as Certification Body shall not employ any professional conflicting with its ethical policies.

2.7. EY PFS Solutions S.à r.l. as Certification Body shall not allow any of its certification personnel to market the services offered by the organization. Only the dedicated personnel will be allowed for the marketing of the services.
2.8. EY PFS Solutions S.à r.l. as Certification Body shall not allow any of its Certification personnel to carry out financial transactions with clients / subcontractors.

2.9. All employees of EY PFS Solutions S.à r.l. as Certification Body shall disclose any situation impairing the business ethics.

2.10. EY PFS Solutions S.à r.l. as Certification Body will allocate the work to its certification personnel, considering the defined time period. No overwork/load will be given, which can cause chances of compromising the GDPR-CARPA certification-related activities and services.

2.11. Any unethical practice observed should be notified to the management at the earliest.

2.12. EY PFS Solutions S.à r.l. as Certification Body shall not allow any of its personnel to accept any gifts from the client/subcontractor.

2.13. EY PFS Solutions S.à r.l. as Certification Body shall not allow any Certification personnel to conduct GDPR-CARPA certification-related activities and services for the organization where any of its family members / close relatives are involved in a decision-making position.

2.14. Staff is prohibited from participating in the GDPR-CARPA certification-related activities and services of any organization to which they have given assistance, by training, or where they have any financial or commercial interest for a minimum period of 2 years prior to the date of application of the organization for registration.

2.15. Direct employees of EY PFS Solutions S.à r.l. as Certification Body are prohibited from engaging in consultancy activities and for GDPR-CARPA certification-related activities and services for the same client. This applies also at partner level ie a partner who was responsible for consulting a given client, may not be involved in the certification process of said client.

2.16. EY PFS Solutions S.à r.l. as Certification Body recognizes that the source of revenue is the client paying for the GDPR-CARPA certification-related activities and services and that this is a potential threat to impartiality. Therefore, EY PFS SOLUTIONS S.À R.L. is a self-financed independent organization with a number of controls to ensure that impartiality is retained.

2.17. To obtain and maintain confidence, it is essential that EY PFS Solutions S.à r.l. as Certification Body’s GDPR-CARPA certification decisions are taken independently by the Review and Certification Committee of EY PFS Solutions S.à r.l. as Certification Body, following the requirements set in the Clauses - 4.4 and 4.5 of the GDPR-CARPA, based on the reviewing of the assurance-based evaluation report respecting the ISAE 3000 standard (Type 2) as specified in Clause 4.3 of the GDPR-CARPA in connection with the objective evidence of conformity or nonconformity, and that any decisions made are not influenced by other interests or by other parties.

2.18. The decision on inspection of the GDPR-CARPA certification and the decision on granting the GDPR-CARPA Certificate of conformity are made and signed for by an authorized person, who was not responsible for such activities are chances of potential conflict of interest.

2.19. EY PFS Solutions S.à r.l. as Certification Body recognizes that threats to impartiality include the following:
3. **Public Statement on impartiality (as it will appear on the EY website)**

The certification body of the EY PFS SOLUTIONS S.À R.L., its Executive Member of Board of Managers, Management Representative, and Certification Engagement Manager, Staff, and others involved in the GDPR-CARPA certification-related activities and services of any organization fully understand the importance of impartiality in undertaking its GDPR-CARPA certification.

Therefore, the certification body of the EY PFS SOLUTIONS S.À R.L. will ensure that in its dealings with clients or potential clients, all employees or other personnel involved in the GDPR-CARPA certification are and will remain impartial.

To ensure that impartiality is both maintained and can be demonstrated, the certification body of the EY PFS SOLUTIONS S.À R.L. has identified and risk assessed all relationships which may result in a conflict of interest or pose a threat to impartiality.

4. **EYG Independence Policy and EYG Independence Policy Supplementary Guidance**

Purpose of this document to serve the following two points in two separate parts:

- An overall strategy describing the functioning of certification activities and of related consulting activities, in particular when provided to a same customer;
- Formal documentation on how E&Y Luxembourg will assist customers to get mature for GDPR CARPA certification, including a risk assessment on the provision of both, consulting and certification, services by the same entity as well as proposed solutions to mitigate these risks;

5. **GDPR consulting services prohibited**

The accredited entity shall not provide both consulting and certification services to the same client regarding GDPR. See point 4.2.6 of the Manual.