
Appendix 4 to Atos Group Binding Corporate Rules as a Processor - Complaint Handling Procedure where Atos is acting as a Processor

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Complaint Handling Procedure

Data Subject Complaint Handling (Atos acting as a Processor)

Procedure for Handling Data Subjects' Complaints where Atos acts as a Processor

For the purpose of this Appendix, Controller shall mean the Customer or any other third-party giving instructions to Atos for the processing of personal data at stake for the complaint.

Any Atos Entity that receives a complaint regarding its processing of personal data on behalf of a Controller shall forward that complaint to the Controller without undue delay, unless otherwise agreed with the Controller.

Where a data subject is complaining about the processing carried out by the Controller and where Atos acts as a Processor, i.e., under the instructions of such Controller for the processing of personal data, Atos is willing to provide assistance to the Controller and to work with the Controller in order to make sure that the latter can handle its own Data Subjects' complaints.

Indirect complaint

STEP 1: Controller addresses Data Subject's concerns to the Atos Local Data Protection Office

Assistance of Atos where the complaint is addressed to the Controller

Controller shall make clear to Atos how Atos, as Processor can assist Controller regarding Data Subjects complaints and in particular, which information shall be provided by Atos. Atos will undertake all reasonable efforts to provide Controller with relevant requested information. As minimum, Controller shall be able to provide the level of information provided for in Appendix 5 Annex 1.

For this purpose, the Controller shall provide Atos a detailed request; otherwise Atos will not be in a position to provide the Controller with assistance.

This request shall first be filed to the Local Data Protection Office using the generic email address found in the Atos Group BCR-P Appendix 8 – Local Data Protection Points of Contact.

STEP 2: Atos Local Data Protection office response

The Local Data Protection Office shall acknowledge receipt of the complaint no later than **one (1) week** after the complaint was received.

Where information provided by the Controller is not sufficient for the Atos Local Data Protection Office, the Local Data Protection Office shall address a request for additional information to the Controller no later than **fifteen (15) days** after receipt of acknowledgement was sent.

Where information provided by the Controller is sufficient for the Local Data Protection office, or once the additional information requested in the previous paragraph is provided by the Controller, Atos shall not take longer than **one (1) month** to provide Controller with relevant information.

The Controller will remain accountable and responsible for communications to the data subject and the monitoring of his/her complaint.

STEP 3: Escalation to the Group Data Protection Office

Where the Controller considers that Atos has not provided Controller with relevant information to enable Controller to address Controller's Data Subject's complaint, the matter shall be escalated to the Group Data Protection Office. The Group Data Protection Office shall acknowledge receipt of such indirect complaint and shall take no longer than **one (1) month** to propose a solution to be agreed with Controller or a solution which would be satisfying for both parties. Controller will remain accountable and responsible for communications to the data subject and the monitoring of his/her complaint.

Indirect complaints handled directly by Atos

If the Controller has factually disappeared or ceased to exist in law or has become insolvent (unless any successor entity has assumed the entire legal obligations of the Controller) or when a Data Subject is complaining about the processing carried out by an Atos Entity acting as Processor, then the Data Subject should direct their complaint to the Atos Local Data Protection Office.

Complaints may be sent to the relevant Local Data Protection Office using the generic emailing address listed in the Atos Group BCR-P Appendix 8 – Local Data Protection Points of Contact (i.e. xxxx@atos.net)

In all such cases, complaints handled by the Local Data Protection Office shall be dealt without undue delay and in any event within **one (1) month** by the Local Data Protection Office. Taking into account the complexity and number of requests, this period may be extended **to two (2) months** in which case the Data Subject will be informed accordingly.

For the avoidance of doubt, Data Subjects may bring a claim before a relevant Court or complain to the Data Protection Authority / Supervisory Authority in their country of location even if they have not exhausted this complaint handling procedure.

Annex 5-1 (action as Processor):

Complaint form for Controller against Atos regarding the processing of Controller's Data subjects' personal data.

The standard letter form below shall be used by Customers who intend to bring a complaint against Atos. Please note that this form shall be filled in with relevant information.

This is only a template that may be used freely by Customer – a complaint received in another format will also be studied according to the procedure described above.

Please also attach a copy of Data Subject ID card which should serve to prove the Data subject's identity.

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Dear Local Data Protection Contact,

I, _____ [name and surname of the contacting person] representing _____ [indicate name of the name of the Company; Country of establishment] acting as a Controller, hereby require assistance of Atos and transmit the complaint of a Data Subject for whom I am acting as Data Controller for the processing of his/her Personal Data.

Please find below, the information relating to the complaint, which I should be grateful if you could handle appropriately.

I acknowledge that the complaint procedure is time framed according to Appendix 4 of Atos Group BCR-P, and is deemed to have started as of _____ [indicate time where complaint is filed].

Data Subject's name and surname	
Preferred contact details*(email/ phone number)	
Date of this request	
Approximate date when data were initially collected	
List of Personal Data concerned by the complaint	
Description of the Complaint - Please give details regarding the right the Data Subject wishes to exercise, the category of processing activity at stake and, if relevant, the reason why you believe that such processing is illegitimate	