

Privacy & GDPR FAQ

What is the GDPR?

The General Data Protection Regulation (GDPR) is a new European privacy law that goes into effect on May 25, 2018. The GDPR will replace the EU Data Protection Directive, also known as Directive 95/46/EC, and will apply a single data protection law throughout the EU.

Data protection laws govern the way that businesses collect, use, and share personal data about individuals. Among other things, they require businesses to process an individual's personal data fairly and lawfully, allow individuals to exercise legal rights in respect of their personal data (for example, to access, correct or delete their personal data), and ensure appropriate security protections are put in place to protect the personal data they process.

We have taken steps to ensure that we will be compliant with the GDPR by May 25, 2018.

Who does the GDPR apply to?

The GDPR applies to all entities and individuals based in the EU and to entities and individuals, whether or not based in the EU, that process the personal data of EU individuals. The GDPR defines personal data as any information relating to an identified or identifiable natural person. This is a broad definition, and includes data that is obviously personal (such as an individual's name or contact details) as well as data that can be used to identify an individual indirectly (such as an individual's IP address).

Does the GDPR apply to non EU advertisers?

Yes, if they are collecting or processing the personal data of EU individuals when using our products and services than GDPR applies to that advertiser

What is Bench's role under GDPR?

We act as both a data processor and a data controller under the GDPR.

Bench as a data processor: When customers use our products and services to process EU personal data, we act as a data processor. For example, we will be a processor of EU personal data and information that gets uploaded to the Bench Platform. This means we will, in addition to complying with our customers' instructions, need to comply with the new legal obligations that apply directly to processors under the GDPR. As a processor of data Bench does not accept any Personally Identifiable Information (PII) from its advertisers in order to maximise data security. Bench will only accept Hashed or Encrypted files that contain PII.

Bench as a data controller: We act as a data controller for the EU customer information we collect to provide our products and services and to provide timely customer support. This customer information includes things such as customer name, email and contact information.

What have we done to comply with GDPR?

We have conducted an extensive analysis of our operations to ensure we comply with the new requirements of the GDPR. With the help of external advisors, we have reviewed our products and services, customer terms, privacy notices and arrangements with third parties for compliance with the GDPR. We can confirm we will be fully compliant with the GDPR by May 25, 2018.

What personal data do we collect and store from our customers?

We store data that customers have given us voluntarily. For example, in our role as data controller, we may collect and store contact information, such as name, email address, phone number, or physical address, when customers sign up for our products and services or seek support help. We also may collect other identifying information from our customers, such as IP address, bank details and cookie data for external services.

We separately act as a data processor when customers use our products and services to process EU personal data, such as uploading personal data to the Bench Platform. Customers decide what personal data, if any, is uploaded to our platform and this data is only accepted in hashed form. We also collect other identifying information through our platform including IP address and cookie data in order to provide our processing services.

What are Bench clients Privacy obligations?

Customers that handle EU personal data are required to comply with the privacy and security requirements under the GDPR. As part of this, they must ensure that the vendors they use to process the EU personal data also have privacy and security protections in place. Our DPA outlines the privacy and security protections we have in place. We are committed to GDPR compliance and to helping our customers comply with the GDPR when they use our services. The Bench DPA is available to all our customers to view [here](#)

Are customers required to sign the Bench DPA?

In order to use our products and services, you need to accept our DPA, which we have provided a link to on our website: [Data Processing Agreement](#). By agreeing to our terms of service, you are automatically accepting our DPA and do not need to sign a separate document.

Can a customer share the Bench DPA with its customers?

Yes. The DPA is a publicly available document and customers who wish to share it with their customers to confirm our security measures and other terms can feel free to do so.

Do we transfer data internationally?

The GDPR replicates the Data Protection Directive restrictions on transferring data outside the EU and prohibits the export of personal data outside of the EU to non-EU recipients unless the export meets certain criteria.

Although we are headquartered in Australia, Bench uses data centers and has customers in the EU. In certain circumstances, we will process personal data that originates from the EU in the United States or Australia. We provide a level of protection of privacy that complies with the EU rules.

How do we handle delete instructions from customers?

Customers have the ability to request the removal or deletion of information or data they have uploaded to our platform. Likewise, Customers may request to deactivate their account and request that all personal data we have collected and stored is deleted. Upon receiving such a request and following full payment of any outstanding invoices, Bench will delete the information except where Bench is required to keep such information or back-up of such information for legal purposes or by a government authority (for example required by a tax authority)