

About this document

This is a list of the third party organisations that act as sub-processors. It will be updated from time to time, and revised versions will be published at the same location online. If you want to be notified about changes, please email contracts@enate.net and provide your name, the name of your organisation (which must match the name of the organisation that has a contract with us), your role, and say that you want to subscribe for change notices regarding Enate Sub-processors. Look out for an acknowledgement of your request.

Enate Sub-Processors

Where this document refers to an 'Order', it means the applicable contract document that specifies the details of what you have purchased. References in this document to the '**Enate Solution**', mean the software solution known as 'Enate' provided in the form of software-as-a-service or, if your organisation has subscribed to use Enate on your own hosting platform, in the form of object code for deployment on your facilities. The Order will state which organisation is the '**Customer**' and the '**Enate**' entity that contracted with your organisation.

Context

This document exists primarily to meet the requirements of European and United Kingdom legislation relating to protection of personal data:

General Data Protection Regulation (EU) 2016/679 – commonly known as 'GDPR', which applies in member states of the European Union, member states of the European Economic Area, and in some circumstances where the Regulation affects organisations outside the European Union because they process data relating to individuals entitled to protection by the Regulation.

Data Protection Act 2018 – the United Kingdom's primary legislation relating to data protection.

UK GDPR – this is the retained EU law version of GDPR after the European Union (Withdrawal) Act 2019 – and defined by section 3(10) of the Data Protection Act 2018

For the purposes of this document, we refer collectively to '**Data Protection Legislation**' and the concepts are broadly the same for each legislative source.

What is a Sub-Processor?

Data Protection Legislation is concerned with 'personal data', which is defined in the legislation. Data Protection Legislation also defines the concept of '**processing**' to include any operation on personal data in broad terms. An organisation that processes personal data is a 'Processor', which is another defined term in data Protection Legislation. '**Sub-Processor**' is not a defined term in Data Protection Legislation, but it is commonly used as a label to describe a processor appointed by another processor, recognising that there is often a chain of organisations involved in the processing.

Article 28(2) of GDPR says "*The processor shall not engage another processor without prior specific or general written authorisation of the controller. In the case of general written authorisation, the processor shall inform the controller of any intended changes concerning the addition or replacement of other processors, thereby giving the controller the opportunity to object to such changes.*"

This document provides the information required by Article 28(2). A Customer's right to object to changes is set out in your contract. Enate uses the same Sub-Processors for all customers. If a customer objects to a Sub-Processor, it is not usually possible for that customer to continue to use the Enate Solution while other Customers accept the changes. For that reason, a Customer's ability to object to changes is expressed as a right to terminate use of the Enate Solution regardless of the duration of the remaining contract period in the Order. This creates an incentive for Enate to act prudently before making changes.

Personal Data Processed by Enate

The Enate Solution is commonly used by customers who operate in multiple jurisdictions. This means that some personal data might be within the scope of protection provided by Data Protection Legislation, and some might not. This might change the contract terms associated with the relevant Order, but it does not change Enate's operational procedures: Enate adopts the same procedures for all Customer Data, regardless of whether it happens to be protected by Data Protection Legislation.

We will invariably process the following categories of personal data:

Administration of Orders – we will typically process the name, email address, job title and contact details of Customer personnel who are named as administrative contacts for the purpose of concluding Orders, performing Orders and invoicing.

Customer Data – we use 'Customer Data' to describe all the data which a Customer uploads and processes using the Enate Solution. We work on the assumption that some Customer data processed by the Enate Solution is likely to be personal data, but we do not control or know the full extent of personal data that customers chose to process. We know that Customer Data will invariably include the log-in details for users who have access to the Enate Solution, but we do not know what other personal data might be in use. Therefore, we treat all Customer Data as if it contains personal data. Enate processing of Customer Data will depend on whether the Enate Solution is supplied in the form of software-as-a-service (see below).

Maintenance & Support – we will typically process the name, email address, job title and contact details of Customer personnel who are named as contacts for the Enate Helpdesk.

Professional Services – if you buy Enate professional services to assist with implementing, building and configuring the Enate Solution, we might process personal data that you chose to provide as necessary for that work. For example, you might provide us with a list of users to initially populate the Enate Solution.

Enate SaaS vs Enate On-Prem*

If you use Enate SaaS, Enate will process Customer Data that includes personal data because:

- Enate hosts the Customer Data
- Enate technical personnel have access to the platform used to host the Customer Data, to provide Maintenance & Support

If you use Enate On-Prem, Enate will not process Customer Data except insofar as we might incidentally have access to Customer Data on the occasions you give Enate remote access to your server for the purpose of providing Maintenance and Support or professional services.

Sub-Processors List

Sub-Processor	Affected customers & solutions*	Extent of the sub-processing	Location of the sub-processing	Notes
<p>‘Enate India’:</p> <p>Enate Technologies India Pvt Ltd - a company registered in Karnataka with company number U72200KA2013FTC072544 with its registered office at WeWork Galaxy, 43, Residency Road, Bangalore 560025, India</p>	<p>Enate India acts a Sub-Processor for customers who contract with Enate Limited.</p> <p>Enate SaaS and Enate On-Prem</p>	<p>Processing incidental to providing maintenance and support and to operate the Enate Help Desk.</p> <p>Enate India consultants might be used as part of the professional services team to assist with implementing, building and configuring the Enate Solution.</p>	<p>Unless your Order specifies a data centre at a different location, personal data remains stored and protected India in accordance with “Where is My Data and How Is It Stored and Protected” (https://docs.enate.net/enate-contract-documents/). Enate India personnel do not transfer the data from those facilities – access is done remotely. Enate India staff are located in India.</p>	<p>Enate India is a wholly owned subsidiary of Enate Limited. The subsidiary and the people use the same procedures, have the same training and work practically as part of the same organisation as the UK parent company.</p> <p>For customers who are subject to Data Protection Legislation, Enate India can execute ‘Standard Contractual Clauses’ approved for Data Protection Legislation</p>
<p>‘Enate UK’:</p> <p>Enate Limited - a company registered in England and Wales with company number 4077681 with its registered office at 7 Rockfield Business Park, Old Station Drive, Leckhampton, Cheltenham, Gloucestershire, GL53 0AN</p>	<p>Enate UK acts as a Sub-Processor for customers who contract with Enate Technologies India Pvt Ltd.</p> <p>Enate SaaS and Enate On-Prem</p>	<p>Processing incidental to providing maintenance and support and to operate the Enate Help Desk if tasks need to be escalated to the UK engineering team.</p> <p>Enate UK staff may process personal data in the course of providing administrative support for Enate India</p>	<p>United Kingdom</p>	<p>Enate Limited is the parent company of Enate Technologies India Pvt Ltd.</p>
<p>Amazon Web Services EMEA SARL, a Luxembourg subsidiary of Amazon Inc</p>	<p>All customers using Enate SaaS (but see notes below)</p>	<p>AWS provide the services known as Amazon Web Services (using their servers in Ireland) that are used by Enate as the technical platform for the Enate Platform</p>	<p>United Kingdom with backup/DR in Ireland</p>	<p>Enate contracts on the standard terms of AWS, which include provisions for Data protection Legislation</p>

Microsoft Ireland Operations Ltd, One Microsoft Place, South County Business Park Leopardstown Dublin 18, D18 P521 Ireland	All customers using Enate SaaS under a subscription that includes Microsoft Power BI hosted by Enate (as part of the Enate feature called 'Advanced Reports')	Enate's Advanced BI reports are powered by the Microsoft solution known as 'Power BI'. Enate will deploy this solution as part of the hosted platform commonly known as 'Azure'	United Kingdom	Enate contracts on the standard terms of Microsoft, which include provisions for Data protection Legislation
Microsoft Ireland Operations Ltd, One Microsoft Place, South County Business Park Leopardstown Dublin 18, D18 P521 Ireland	All customers using Enate SaaS	Enate supports external file & attachment (binary) storage. As standard, data is written to AWS (Simple Storage Service, or S3) in the UK (London) region, and for added resilience, the data is also written to the Microsoft Azure Cloud Storage service in the UK (London) region	Ireland	Enate contracts on the standard terms of Microsoft, which include provisions for Data protection Legislation
Microsoft Ireland Operations Ltd, One Microsoft Place, South County Business Park Leopardstown Dublin 18, D18 P521 Ireland	All customers using Enate SaaS (but see notes below)	Microsoft provide the services known as Azure using Microsoft's Azure Europe West (Ireland) region and the Azure Europe North (Netherlands) region. The Europe West region is the default platform, and Europe North acts as the DR platform. Enate uses Azure to host the Enate Platform. See note below.	Ireland	Enate contracts on the standard terms of Microsoft, which include provisions for Data protection Legislation
Twilio Ireland Ltd, a company registered in the Republic of Ireland, whose registered address is 3 Dublin Landings, North Wall Quay, Dublin 1, Ireland	Customers using Enate SaaS if the customer opts to use the 'Sendgrid' email service.	Twilio operates a service known as 'Sendgrid' which is a facility for sending emails on behalf of customers originating from the Enate solution. Emails will contain some personal data because (i) the email addresses are likely to be personal data and (ii) email content or attachments might contain personal data. Twilio process the data only for the brief transient period needed to execute transmission of the email. There is no persistent storage of emails by Twilio.	Ireland, but Twilio may use sub-processors in other jurisdictions. Processing is subject to a data protection agreement. Insofar as sub-processors are located outside the European Union, Twilio use 'Standard Contractual Clauses' recognised for GDPR. The data processing agreement is available online .	Customers can opt in or out of using Sendgrid.

* 'Enate SaaS' means the Enate Solution hosted by Enate and provided in the form of software-as-a-service. 'Enate On-Prem' means the Enate Solution supplied in object code form for installation on a platform provided by the customer.

Transition from AWS to Azure hosting

At the date of this document (see footer), Enate is migrating Enate SaaS to a new hosting provider. Prior to the date of this document, all customers using Enate SaaS were provisioned using Amazon Web Services as described in the table above. Customers who subscribe after the date of this document might be provisioned using Amazon Web Services or Azure, to facilitate a phased migration and considering customer requirements. Existing customers will be migrated on a phased basis, and will be notified.