



# Data protection policy

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This policy describes how Vasakronan collects and uses personal data. All employees at Vasakronan are to process personal data according to the law and this policy.

## GENERAL DATA PROTECTION REGULATION

The General Data Protection Regulation (GDPR) applies from 25 May 2018. The regulation aims to protect the individual's privacy regarding how organisations can process personal data.

### Personal data and processing

The GDPR applies for **processing personal data**. Personal data is any kind of information that directly or indirectly relates to a living, physical person. Examples of directly personal data are name, personal identification number, telephone number, address, photographs, films, personal preferences and behaviour. Indirectly personal data is, for example, apartment number.

As soon as personal data is used through collection, registration, storage, addition, alteration or use, that constitutes **processing** of personal data. The rules in the GDPR apply to all personal data processing via computer, but in certain cases they can also include manual processing if it is done systematically, for example cataloguing personal data in a filing system. Personal data that is processed in running text, such as on a website or in an email, is also covered by the GDPR.

### Sensitive data and criminal data

In the GDPR, special categories of personal data are defined as **sensitive**, and for this data the basic principle is that processing is prohibited (however, compare to the below, for example regarding employees). Sensitive data is data regarding racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, or data concerning health or sex life. The prohibition applies not only to data processing that directly reveals or concerns such circumstances, but also if they can be indirectly inferred.

For criminal data, the basic principle is that data regarding breaches of the law is never to be processed. There are, however, certain exceptions. Despite the prohibition, criminal data can be processed if it is necessary to handle a legal claim, for example when a crime constitutes grounds for termination of an agreement. In this case, the General Counsel at Vasakronan should be notified.

### Responsibility for personal data

Rule breaches in the processing of personal data can lead to high fines. Vasakronan as a company is responsible for correctly processing its personal data. Vasakronan has appointed a data protection officer, Karl-Fredrik Björklund. The data protection officer ensures that Vasakronan complies with the GDPR.

### Purpose and necessary personal data

Personal data may only be collected for predetermined, specified, explicit and legitimate **purposes**. Personal data may not be processed for any other purpose than the purpose for which the personal data was collected.

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The personal data must be correct and relevant in relation to the purpose of the processing. It is not permitted to process more personal data than what is **necessary** with respect to the purpose.

### **Legal basis**

Provided that the above conditions are met, personal data can be processed according to these grounds:

1. if it is necessary for entering into or the upholding of a **contract** with the data subject,
2. if the data subject has given **consent** to the processing, or
3. if it is necessary for compliance with a **legal obligation**, or
4. after a **balance of interests**.

### **Balance of interests**

Personal data processing is lawful if it is necessary to satisfy Vasakronan's legitimate interests – that is, if these interests override the data subject's interest in protection of their personal data. An assessment of what constitutes legitimate interest must be made for each individual case. What must be balanced is the context in which the data occurs, the purpose for which it is being processed, how it has been disseminated or risks of it being disseminated as well as what the processing can result in. The content of the data also affects the legitimate interest for Vasakronan after a balance of interests.

## **CUSTOMERS, SUPPLIERS AND STAKEHOLDERS**

### **The data subject has no contractual relationship with Vasakronan**

The following applies if no contractual relationship applies, regardless of whether one is entered in the future.

Each time personal data is processed, a balance of interests (see above) between Vasakronan's commercial interest in using personal data for sending out invitations and the data subject's interest in protecting their personal data should be conducted. Interest in marketing properties and services is normally one such legitimate interest that gives Vasakronan the right to process personal data as long as the personal data only consists of names and contact details. Even in the above case, processing must proceed in accordance with the fundamental legal requirements. See more under "Information and deletion of data."

### **The data subject has a contractual relationship with Vasakronan**

In this case, Vasakronan has the right to process the personal data necessary for performance of the contractual relationship with the data subject as a private person (for example, residential tenants or sole proprietorships). Vasakronan may also process the personal data of representatives and contacts for legal entities, with a legal basis in a legitimate interest. This pertains to tenants of premises, suppliers or contractors (that are not sole proprietorships).

Examples of personal data (besides contact and identifying information) that are relevant for a contractual relationship can be lapses in payment and particularly in relation to rental relationships: disturbances, violation of the tenant's care duties, rules for order and good condition. Processing of personal data is also lawful if it is for exercising legal rights, for example to conduct or complete termination of a contract or to pursue a legal claim.

### **Marketing and direct marketing**

Vasakronan needs to provide information if personal data will be processed for marketing purposes, regardless of whether a contractual relationship applies. See more under "Information and deletion of data." If personal data is collected and used for marketing purposes, direct or indirect, good practice must be followed in this area. If someone contacts Vasakronan to request registration to receive information a balance of interests can be considered to be a lawful basis for processing. However, the data subject must receive information pursuant to the requirements in the GDPR. In this case, good practice refers to the Swedish Data & Marketing Association's (SWEDMA) rules prepared in cooperation with the Swedish Data Protection Authority.

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## **Particular for residential tenants**

For the purpose of creating a shared good practice for the processing of personal data in the residential rental market, the Swedish Property Federation and the Swedish Housing Association of Municipal Housing Companies have prepared guidelines. The guidelines have been submitted to the Swedish Data Protection Authority for approval. The guidelines are regarded as good practice within the industry, so they should be followed.

## **Access to personal data**

Access to personal data is limited to the employees who need access to current personal data to perform their tasks, for example working with employee issues, contract termination and collection matters or management. If you save documents that contain personal data, access should be limited to those who need it to perform their tasks.

Evaluative, harassing or otherwise discriminatory opinions and phrasing may not, under any circumstances, be entered into Vasakronan's data systems. Phrasings such as "slow payer" may therefore not be used – though facts about lapsed payments are to be registered.

## **INFORMATION AND DELETION OF DATA**

### **Communication to the data subject**

Vasakronan must inform the data subject of any type of personal data processing. Information should be provided as soon as personal data is collected from the data subject.

The information to be provided is: Vasakronan's name, address, phone number, corporate registration number, contact information for the data protection officer and email, as well as a description of the purpose of the processing. Vasakronan must also state which personal data is to be processed, the legal grounds for the processing, the routines for deletion of data and, if applicable, which data that eventually can be disclosed. The data subject will also be informed of the possibility of altering or erasing their data, as well as how to file a complaint with the Swedish Data Protection Authority if, in the data subject's opinion, their personal data has been processed incorrectly. This information is to be brief, easily comprehensible and expressed in clear, simple language.

If personal data is collected from another source other than the data subject, that information is to be supplied upon first contact with the data subject or within a reasonable period of time no longer than one month, and Vasakronan is also to provide information about which source it was.

When a new contact is registered in Vasakronan's Customer Relationship Management system (IDA), the information above will be sent out automatically to the data subject in connection with registration or otherwise within 30 days if the data is taken from a source other than the data subject. Vasakronan will also provide information about the main principles for the personal data processing that can arise during operations. All employees are to have a link to information about Vasakronan's processing of personal data on the web page in their email signature. You can contact the Legal department which has templates for information clauses for different situations.

If the data subject opposes Vasakronan's processing of their personal data, this must be noted and the data erased immediately. There are some exceptions to this rule so if you receive an objection or request for deletion you should consult the Legal department.

### **Deletion of data**

Personal data may not be saved longer than what is necessary with respect to the purpose for which it was collected. When a contractual relationship ends, personal data is deleted after a set period of time. Personal data that does not need to be deleted immediately when the contractual relationship ends includes information in rental agreements or other contracts, which may be saved as long as necessary to monitor remaining legal claims or as long as required by accounting regulations. In practice, this means that data often may not be saved for longer than seven years. The rules for deletion of data regarding residential tenants are regulated in the Swedish Property Federation's guidelines.

## **Disclosing personal data**

Personal data may only be disclosed to third parties if:

- a **contract with** the data subject is to be performed,
- the obligation to disclose the data is **required by law** or
- the data subject has given **consent**.

If Vasakronan wants to process the data for purposes other than what the data subject can be expected to anticipate, the data subject must be informed about the processing, see more below.

## **The data subject's right to information, alteration, deletion and to withdraw consent**

With the general information about data protection on Vasakronan's web page, there are links to pages where individuals can request a copy of the entries in the register, alteration, deletion or withdraw previously given consent for processing.

## **Reporting a personal data breach**

There is a link on Vasakronan's web page to a form where Vasakronan's data processors can report personal data breaches if they suspect that personal data has been destroyed, altered or fallen into the wrong hands. This link can be used by both employees and external parties if they suspect a personal data breach. Anyone whose personal data is at risk of being affected will be informed. The Swedish Data Protection Authority will be notified within 72 hours of Vasakronan being made aware of the personal data breach, if it is considered necessary after an evaluation of the breach.

## **Vasakronan's external whistle-blower system**

Vasakronan has established a whistle-blower system as a supplement to the ability to report improprieties to the General Counsel/Compliance Officer, which is managed by an external company. For the sake of privacy, such a system may only encompass individuals who are employed at the Vasakronan Group and hold executive or key positions. Should personal data regarding individuals outside those named above appear in the system, such data will be erased. Personal data concerning those who hold executive or key positions will be deleted from the system as soon as the matter has been reported to Vasakronan.

As a principle rule, personal data relating to criminal convictions and offences may not be handled by anyone other than authorities and therefore such data will be erased from the system. In the case that such data appears in the system that Vasakronan, pursuant to another law (such as the Work Environment Act or the Discrimination Act), is obligated to investigate it, a balance of interest will be performed between the need to investigate the matter and the data subject's privacy.

Through providing clear information to employees about the purpose of the whistle-blower system however, Vasakronan intends to ensure that as far as possible the system is used as intended.

## **GENERAL CAMERA SURVEILLANCE REGULATIONS**

A new national camera surveillance law (below kamerabevakningslagen, the Camera Surveillance Act) entered force the 1st of August 2018 as a supplement to the GDPR. The purpose of the Camera Surveillance Act is to meet the need for camera surveillance for legitimate purposes while protecting individuals against infringement on their personal privacy.

The new law will only apply when cameras are used in a manner that constitutes personal surveillance. The permit requirement that applied previously has been removed in the new law but camera surveillance must now always adhere to the requirements in the GDPR. This means that Vasakronan must be able to demonstrate the lawful basis Vasakronan has for camera surveillance, for example that Vasakronan has performed a balance of interest that demonstrates that the need for surveillance overrides the right to privacy of those who might be monitored. All of Vasakronan's camera surveillance is documented and each balance of interest is justified in a list, "Vasakronan's camera surveillance list" and, moreover, Vasakronan has routines in place for camera surveillance which must be followed (documented in the internal document: "Camera surveillance procedures: Installation of systems and disclosure of material").

## **Information and deletion of data**

Note that Vasakronan must always state when camera surveillance is in operation, for example through signs. There is, however, an exception to the information requirements in the GDPR if the data subject cannot be identified, which can be difficult with images of people in a camera recording. Nonetheless, this does not obviate the need for signs informing of all camera surveillance.

The basic principle is that secrecy applies for all recorded material, and that the material may only be used for the purpose for which it was recorded. As few people as possible should have access to the camera material and those who process the camera material are to protect it with applicable security measures.

The Swedish Property Federation's guidelines stipulate that data should be deleted after a maximum of four weeks. Camera material may be disclosed to a prosecutor, the police, Swedish Customs, the Swedish Coast Guard or the Swedish Tax Agency if it is necessary for investigating a crime punishable with prison or to prevent or detect such a crime. Sometimes data may also be disclosed to a municipality or a public authority responsible for rescue services if the data is necessary to prevent a threatened incident or accident, or to limit the effects of such an incident or accident. Vasakronan is not obligated to disclose material at the request of, for example, tenants. If the request is on behalf of and regarding someone who appears on film Vasakronan must consider such request, but even then there are exceptions. In unclear cases, the General Counsel is to be consulted.

## **Particular for residential tenants**

The Swedish Property Federation has also issued guidelines regarding camera surveillance for the residential tenant market. As it is considered good practice for camera surveillance for landlords, Vasakronan will comply with it in this regard.

## **GENERAL REGULATIONS FOR ELECTRONIC ENTRY SYSTEMS**

The GDPR applies to the use of electronic entry systems, for example entry systems to garages or premises. Personal data is processed within the framework of an electronic entry system provided that the purpose is to replace a system with traditional keys. Under a balance of interest according to the GDPR (see above), Vasakronan can save logs for other purposes. Logging and saving personal data about entry to shared spaces can be justified by technical maintenance and troubleshooting, or if a property has experienced disturbances, damage or theft.

## **Personal privacy**

To prevent undue infringements of personal privacy, the number of individuals who have access to the log should be limited, with clear procedures for how the log may be used. A log may, like other registered personal data, not be used in a manner that can entail a risk of infringement of personal privacy. Saving personal data to control individuals in connection with, for example garage entry, shared entrances or to property, can be considered a major infringement of personal privacy.

## **Particular for residential tenants**

The Swedish Property Federation's guidelines for the residential market include guidelines on entry systems, which can also apply to commercial properties. Personal data in an entry system will not be not stored for longer than necessary for the purpose. To date, the Swedish Data Protection Authority has not encountered any situation where the purpose would justify saving entry logs for longer than two weeks.

## **EMPLOYEES**

### **Employed personnel**

Vasakronan may process personal data if it is necessary for fulfilling the contract of employment, another agreement or another obligation between Vasakronan and the employee. Processing personal data can be necessary for administering a contract of employment relating to, for example, the human resources system, registering sick leave, flexitime system, competence control systems or occupational health services. Information about processing personal data is provided to all employees primarily upon signing the contract of employment.

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Vasakronan may further process employees' personal data if it is necessary for compliance with a legal obligation, such as disclosing data about an employee to national or municipal authorities. This can include personal data necessary to report taxes and fees regarding employees, paying group life and pension fees to insurance companies and establishing employee timetables. Information about certification, assessments or other evaluative disclosures, such as from performance reviews, may be registered if it is necessary for the employment relationship.

Use of the employee's name, phone number, email and image in the company's intranet and internal communication can also occur. This is to simplify contact and work assignment completion between colleagues. In cases of suspected accidents or illnesses, Vasakronan needs to be able to contact an employee's relatives. As an employee, you are responsible for informing your relatives that you have provided their contact details and why. You will receive more information upon signing your contract of employment. For senior executives within the company, Vasakronan may also need specific information about related parties to comply with requirements in the Market Abuse Regulation. You are responsible for providing current information and informing related parties whose information you have disclosed to Vasakronan that Vasakronan will process their personal data according to the Market Abuse Regulation.

Other processing of personal data can occur if the employee has given consent to such processing.

### **Record of processing activities**

The registers and systems containing personal data at Vasakronan are summarised in a record of processing activities. The record is documented as an appendix to this policy and it is incumbent on everyone responsible for a register or similar where personal data appears to ensure that the record is updated and its instructions followed.