

Questions and Answers for BT Suppliers

Updated Data Transfer Requirements

What are Standard Contractual Clauses (SCCs)?

Standard Contractual Clauses (also known as Model Contract Clauses) are one of the safeguards approved by the European Commission (for the EEA) and UK Government (for the UK) to legitimise the transfer of personal data outside of the EEA or UK.

BT usually relies on SCCs when a supplier transfers BT personal data outside the UK or EEA.

What are the latest legal requirements relating to the SCCs and international data transfers?

As of 27 September 2021, all companies that transfer or access EU/EEA personal data outside the EU/EEA need to implement new SCCs ('**EU SCCs**') published by the European Commission. These EU SCCs take into account GDPR obligations, increasingly complex cross-border data transfers, and the European Court of Justice's (CJEU) decision in *Schrems II*, which highlighted the need for transfer impact assessments and supplemental security measures (when necessary). The deadline for replacing the old SCCs in existing agreements is **27 December 2022**.

Also, as a result of Brexit, companies will use an addendum to the EU SCCs (the '**UK Addendum**', which came into effect on 21 March 2022) to govern the transfer or access of UK personal data to third countries. The UK Addendum is designed to allow the use of the EU SCCs by incorporating necessary modifications to cater for UK law, and it avoids the burden of having to implement multiple data transfer agreements with our suppliers. Any existing agreements that govern UK data transfers outside the UK must be updated by 21 March 2024, provided there have been no changes to the processing operations and that the existing contract ensures adequate safeguards in compliance with *Schrems II*.

What does this mean for BT suppliers who transfer data outside the UK/EEA?

To ensure that BT remains compliant with the latest legal requirements, BT must reassess the data flows and transfer arrangements with our suppliers. Therefore, we are asking all BT suppliers to complete a new data processing assessment which will be issued via the Trust Your Supplier (TYS) platform.

The assessment has been designed to identify and assess data privacy risks, identify whether any data transfers are taking place (including the risk of the transfer) and collect the necessary information to complete the SCCs.

What if I don't sign the amendment agreement to my contract with BT Group?

Updating the SCCs is a legal requirement if data is being transferred outside the UK or EEA. Failure to sign the agreement may result in BT having to suspend its services (in part or in full) until the personal data transfer requirements are met.

What should I do if I have additional questions?

Please contact data.transfers@bt.com and we will be happy to assist you.