

INTRODUCTION

The KeenCorp software calculates a score for engagement by recognizing patterns and tension in text as used in digital communication traffic within an organization (e-mail, chat). Naturally this raises questions about privacy. Privacy is extremely important for KeenCorp. The KeenCorp software is specifically designed in such a way as to limit any use of personal data to a minimum. Below we have set out how the KeenCorp software works and how privacy is protected, including compliance with applicable data protection laws.

HOW DOES IT WORK?

The KeenCorp software is comparable to a spam filter: the text of e-mails is never read and never stored, but automatically processed by the algorithm. Privacy and confidentiality are fully protected as for every communication, sender-receiver details are anonymized up until the level of a pre-defined group (e.g. the groups accounting or management) of at least 10 persons. In addition, for each processed text, names, place names and company names are automatically anonymized before processing. Finally, the only information stored is a single combined score or index, a number, for each defined group. As a result of this, a single measurement can never be backtracked to an individual. This process is explained in more detail in this [video](#).

PRIVACY IS PROTECTED

As described, the algorithm only analyzes anonymized communications, as any personal data is removed. However, use of the KeenCorp software solution does involve some processing of personal data (which includes connecting the KeenCorp software to e-mail accounts of individual employees and sending the communications to KeenCorp's servers, so these can be further anonymized and subsequently analyzed). Such processing must be done in accordance with applicable privacy legislation, including the General Data Protection Regulation ("GDPR") that will apply as of May 2018.

Use of the KeenCorp software is permitted under the GDPR, provided that several requirements are complied with, most notably that:

- The client has a legitimate business interest to implement the KeenCorp software.
- The client complies with the information obligation to its employees (see proposed [communication document](#)).
- The client respects the employees' rights, such as the right to object.
- The client obtains prior consent from the works council (if in place).
- The client and KeenCorp enter into a Data Processing Agreement which KeenCorp will provide.

The other requirements of the GDPR are met, due to the inherent design and working of the KeenCorp software and processes, or require only minor action because KeenCorp has already prepared the relevant documentation.

For the full overview we refer to [this executive summary](#) by leading law firm Clifford Chance. The complete legal assessment is available on request from KeenCorp. For any further in-depth questions regarding the privacy assessment and requirements of the KeenCorp software, KeenCorp invites you to contact Clifford Chance via (+31) (0)20-7119210 (ask for Sanne Blankestijn), who is happy to answer your point of privacy law questions.