



## Empower Your School.

### ***Finalsite and GDPR***

*Date: 5/22/2018*

*"Finalsite has always been a pioneer in the school website industry and their on-going application to GDPR compliance is no different."*

*– Mark Orchison, Managing Director, 9ine*

*Founded in 1998, Finalsite has grown to be the leader in the market, serving more than **2,500 schools worldwide**. Our web software, award-winning design, time-saving integrations and expert consulting services provide schools with a complete platform for telling their story online.*

## Table of Contents

<b>GENERAL DATA PROTECTION REGULATION (GDPR) OVERVIEW .....</b>	<b>3</b>
<b>ABOUT GDPR GUIDELINES.....</b>	<b>3</b>
<b>HOW DOES THE GDPR AFFECT SCHOOLS? .....</b>	<b>4</b>
CONSENT .....	4
DATA PROTECTION OFFICER.....	4
DATA PROTECTION AGREEMENTS (DPA).....	4
DATA MONITORING .....	4
<b>WHAT IS FINALSITE DOING TO COMPLY WITH GDPR? .....</b>	<b>5</b>
INFRASTRUCTURE.....	5
DATA MAPPING.....	5
BUSINESS PROCESS.....	5
ACCESS CONTROL.....	5
CONSENT .....	5
SUB-PROCESSOR VENDORS .....	5
APPLICATION UPDATES .....	6
CUSTOMER CONTRACTS.....	6
TRACKING.....	6
<b>HOW CAN FINALSITE HELP YOU WITH GDPR COMPLIANCE? .....</b>	<b>7</b>
<b>PRIVACY POLICY .....</b>	<b>8</b>
<b>INFORMATION COLLECTION AND USE .....</b>	<b>8</b>
EMAILS AND WEB FORMS .....	8
ORDERS.....	9
TESTIMONIALS .....	9
BLOG.....	9
SURVEYS.....	9
SHARE/EMAIL-A-PAGE.....	9



SERVICE PROVIDERS .....	9
INFORMATION COLLECTED AND STORED AUTOMATICALLY .....	10
LOG FILES .....	10
COOKIES AND OTHER TRACKING TECHNOLOGIES .....	10
CUSTOMER SERVICE .....	10
OPT-OUT OF SPECIAL OFFERS AND UPDATES.....	10
ASK THE COMMUNITY AND SHARE AN IDEA PORTALS .....	11
LINKS TO OTHER SITES.....	12
DATA RETENTION .....	12
LEGAL DISCLAIMER.....	12
SECURITY .....	12
CHANGES IN THIS PRIVACY POLICY .....	12
CONTACT US .....	12
<b>FINALSITE HOSTING .....</b>	<b>13</b>
SECURITY PROTOCOLS .....	13
UPTIME PROTOCOLS (99.9% UPTIME).....	13
NIGHTLY BACKUP.....	13
ACCOUNTABLE PROFESSIONALS .....	13
FASTER BROWSING .....	13
HIGH PERFORMANCE .....	13
DATA INTEGRATION & SINGLE SIGN-ON (SSO) .....	13
<b>INFORMATION SECURITY SUMMARY.....</b>	<b>13</b>
<b>APPLICATION SECURITY .....</b>	<b>14</b>
<b>WEB HOSTING.....</b>	<b>14</b>
HOSTING FACILITY AND PHYSICAL ENVIRONMENT .....	14
HOSTING FACILITY COMPLIANCE .....	15
HIGH-PERFORMANCE.....	15
BACKUP BUSINESS CONTINUITY .....	15
NETWORKING AND HIGH AVAILABILITY .....	15
NETWORK AND APPLICATION SECURITY .....	16

# General Data Protection Regulation (GDPR) Overview

On 25 May 2018, the General Data Protection Regulation (GDPR) will be enforced across Europe, including the UK. The law aims to give EU citizens more control over their data and to create a uniformity of rules to enforce across the continent.

The GDPR covers all data controllers and data subjects based in the EU. It also applies to organisations based outside the EU that process the personal data of its residents.

## About GDPR Guidelines

Under the GDPR, the definition of personal data is quite broad and will cover anything that points to their professional or personal life, including names, photos, emails IDs, bank details, social networking posts, medical information, or computer IP address.

The GDPR introduces new obligations to Finalsite as “data processors” and our clients as “data controllers”, including those based outside the EU for data relating to EU citizens across all industries. The core concept behind the GDPR is that Data Privacy and Integrity is a right available to all EU citizens and residents and is based upon six core principles:

1. Lawfulness, Fairness and Transparency
2. Purpose Limitation
3. Data Minimisation
4. Accuracy
5. Storage Limitation
6. Integrity and Confidentiality

Data controllers and processors which do not comply with the regulation can incur fines of up to 4% of annual worldwide turnover or €20 million (whichever the higher).

Given the complexity of the rules set out by the GDPR it is not surprising that most of our customers are overwhelmed with understanding their obligations. While Finalsite cannot provide you legal advice specific to your organisation’s obligations, we can assist you with further information on how to help you manage your personal data more effectively - internally and externally:

- Know what you have, and why you have it
- Manage data in a structured way
- Know who is responsible for it
- Encrypt what you wouldn’t want to be disclosed
- Design a security aware culture
- Be prepared – expect the best but prepare for the worst

## How does the GDPR affect schools?

The GDPR brings new demands and challenges that will impact school resources and ultimately finances. Primarily, the GDPR elevates the school's obligation to inform parents and students about how their data is being used and by whom. There seems to be a lot of panic related to the introduction of GDPR, however, the good news is that compared to many private organisations, schools are much better placed to address the new regulations. Whilst there are many extra demands required to map and audit how personal data is stored and shared, schools with or without data protection policies should see the GDPR as an opportunity to improve the way they work. The main topics schools should be considering in their approach to GDPR compliance includes:

**CONSENT** – under the GDPR, consent must be explicitly given by a parent or student (depending on their age) to anything that is not within the normal business of the school, especially if it involves a third party managing the data.

**DATA PROTECTION OFFICER** – most schools will need to appoint a Data Protection Officer in order to be GDPR compliant.

**DATA PROTECTION AGREEMENTS (DPA)** – it is incumbent upon schools to not only themselves be compliant with the regulation but to also ensure that their third-party suppliers who process any of their data are GDPR compliant. A sure way of doing so is to have a legally enforceable DPA that outlines what personal data is being processed, who it is being processed by, who has access to it and how it is protected by the third-party supplier.

**DATA MONITORING** – schools will be required to have the ability to monitor the use of its personal data and of any breaches that may arise. For example, it will be compulsory that all data breaches, which are likely to have a detrimental effect on the data subject, are reported to the ICO within 72 hours.

# What is Finalsite Doing to Comply with GDPR?

The GDPR aims to bring coordination across the EU regarding data privacy. There are many aspects to be considered to ensure full compliance for data controllers and processors irrespective of their location. The Regulation will affect many companies differently, particularly those such as Finalsite who are required to hold and process large volumes of personal data.

Our role as a data processor of your personal data is one that we take seriously. In response to this, Finalsite has expanded its security and legal teams with the intent of designing and undertaking on-going assessments of all aspects of our business to ensure that we are able to account for all the personal data in which we are instructed to process.

As a data controller you can be confident that as a result of these constant reviews, Finalsite will continuously be updating all of our existing procedures which are in place to ensure our compliance with the GDPR.

However, continuing to provide our data controllers with robust business processes for the protection of personal data is only half of the solution we provide. In addition, Finalsite has made a considerable investment in our technologies and infrastructure to ensure that we operate our platform in a secure, high-integrity operating environment to further strengthen your personal data protection.

## **INFRASTRUCTURE**

Review, analyse and update Finalsite's infrastructure to ensure state of the art performance of our products while maintaining necessary security protocols.

## **DATA MAPPING**

Detailed knowledge of the information flow for personal data within Finalsite's solution web. Our customers can always be assured that we are in full control of the personal data we receive.

## **BUSINESS PROCESS**

Finalsite always seeks to implement Best in Class business process through sound industry practice and our own innovation – the amendments required for GDPR will be reflected here.

## **ACCESS CONTROL**

Implementing suitable access controls to ensure that only authorized resources can have access to our data.

## **CONSENT**

Take all steps to ensure that consent is clear, affirmative and specific.

## **SUB-PROCESSOR VENDORS**

Continue to provide transparency as to the quality sub-processor vendors we use to process personal data to our customers and to guarantee their adherence to the GDPR standards.



### **APPLICATION UPDATES**

To communicate the innovative changes, we make to our applications and products and to ensure our GDPR obligations are maintained.

### **CUSTOMER CONTRACTS**

Finalsite has and will continue to enter into legal agreements, including Data Processing Agreements, in order to update and secure its legal obligations to its customers.

### **TRACKING**

Data mapping is the first step – continuous tracking is our on-going commitment to our customers. Finalsite will continue to track its data and processes to adhere to GDPR standards.

## How can Finalsite help you with GDPR compliance?

First, by being compliant ourselves!

Finalsite has a team in place dedicated to compliance with the GDPR and all related security and data protection issues. But do not take just our word for this. Mark Orchison is the Managing Director of 9ine ([http://www.9ine.uk.com/gdpr\\_get-in-touch](http://www.9ine.uk.com/gdpr_get-in-touch)) - an industry leader in the field of GDPR compliance for schools and a strong partner with Finalsite in this space. On our GDPR compliance he states:

*"Finalsite has always been a pioneer in the school website industry and their on-going application to GDPR compliance is no different. They have taken and continue to prioritise product security and data protection as a level 1 initiative. They have also put in place and continue to review and add best practice policies that are needed to help them and their school customers enforce regulatory compliance and remain innovative in this space."*

*– Mark Orchison, Managing Director, 9ine*

Secondly, by partnering with industry leaders such as 9ine, we provide our customers with access to all they need to know about GDPR compliance. 9ine's consultancy services ([http://www.9ine.uk.com/gdpr\\_get-in-touch](http://www.9ine.uk.com/gdpr_get-in-touch)) provide expertise in audit and compliance strategies for your school that include technology, data protection, cyber security, safeguarding and the cloud.

# Privacy Policy

27/4/18

This privacy policy describes how Active Internet Technologies dba "Finalsite" collects and uses the personal information you provide on our website: [www.finalsite.com](http://www.finalsite.com) and [www.finalsite.co.uk](http://www.finalsite.co.uk) It also describes the choices available to you regarding our use of your personal information and how you can access and update this information.

The use of information collected through our Service shall be limited to the purpose of providing the Service for which the Client has engaged Active Internet Technologies. Active Internet Technologies participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework. Active Internet Technologies is committed to subjecting all personal data received from European Union (EU) member countries and Switzerland respectively, in reliance on the Privacy Shield Framework, to the Framework's applicable Principles. To learn more about the Privacy Shield Framework, visit the [U.S. Department of Commerce's Privacy Shield List](https://www.privacyshield.gov/list).

Active Internet Technologies is responsible for the processing of personal data it receives, under each Privacy Shield Framework, and subsequently transfers to a third party acting as an agent on its behalf. Active Internet Technologies complies with the Privacy Shield Principles for all onward transfers of personal data from the EU and Switzerland, including the onward transfer liability provisions.

With respect to personal data received or transferred pursuant to the Privacy Shield Frameworks, Active Internet Technologies is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. In certain situations, Active Internet Technologies may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third-party dispute resolution provider, (free of charge) at <https://feedback-form.truste.com/watchdog/request>. Under certain conditions, [more fully described on the Privacy Shield website](#), you may invoke binding arbitration when other dispute resolution procedures have been exhausted.

## Information Collection and Use

### EMAILS AND WEB FORMS

We collect information from users of our site and client portal such as name, email, school information, and phone number when you request demos or contact us. Personal information that you provide by email or web forms will be used only for such purposes as are described at the point of collection (for example on a web form), such as to send information to you or respond to your questions or comments. If you provide contact information, Finalsite staff or its contractors may contact you to clarify your comment or question, or to learn about your level of interest in, or satisfaction with our services. We do not share or sell any personal information to third parties except as described in this privacy policy.



In the event Finalsite goes through a business transition, such as a merger, acquisition by another company, or sale of all or a portion of its assets, your personal information will likely be among the assets transferred. You will be notified via prominent notice on our website for 30 days of any such change in ownership or control of your personal information.

## **ORDERS**

If you register for a Finalsite event, we request certain personal information from you on our order form. You must provide contact information (such as name, email, and school information) and, for chargeable events, financial information (such as credit card number and expiration date). We use this information for billing purposes for event registration or to contact you if we have difficulty processing your order.

## **TESTIMONIALS**

Our client contracts include client permission to post testimonials, both written and video, on our website. Permission to display client reference information (name, school, phone number) is obtained from our clients prior to displaying them on our site. If you wish to update or delete your testimonial, you can contact us at [marketing-uk@finalsite.com](mailto:marketing-uk@finalsite.com).

## **BLOG**

Our Web site offers publicly accessible blogs or community forums. You should be aware that any information you provide in these areas may be read, collected, and used by others who access them. To request removal of your personal information from our blog or community forum, contact us at [marketing@finalsite.com](mailto:marketing@finalsite.com). In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

## **SURVEYS**

Occasionally we may provide you the opportunity to participate in surveys on our site. If you participate we will request certain personal information from you. Participation in these surveys is entirely voluntary and you therefore have a choice whether or not to disclose this information. The requested information typically includes contact information (such as name and email address). We use this information to improve our Finalsite services and product offerings.

## **SHARE/EMAIL-A-PAGE**

If you choose to use the +Share link available at the bottom of most site pages, you will be invoking the AddThis tool which is a third-party product enabling you to easily send our website links to other sites or to email a page link to a friend. All personal information (such as name and email address) you enter here is covered by the AddThis privacy policy, available at <http://www.addthis.com/privacy>.

## **SERVICE PROVIDERS**

We use other third parties such as a credit card processor to bill you for goods and services. For instance, when you register for an event we will share your credit card information with our payment processor as necessary for the third party to provide that service. These third parties are prohibited from using your personal information for promotional purposes.



### **INFORMATION COLLECTED AND STORED AUTOMATICALLY**

If you do nothing during your visit but browse through our website, read pages, or download information, we will gather and store certain information about your visit automatically using cookies and log files. We use this information to help make our site more useful to visitors, to learn about the number of visitors to our site, and the types of technology they use.

### **LOG FILES**

As is true of most websites, we gather certain information automatically and store it in log files. This information includes internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and clickstream data. We use this information to analyse trends, to administer the site, to track users' movements around the site, and to gather demographic information about our user base. We do not link this automatically collected data to personal information.

### **COOKIES AND OTHER TRACKING TECHNOLOGIES**

Active Internet Technologies and its partners use cookies or similar technologies to analyze trends, administer the website, track users' movements around the website, and to gather demographic information about our user base as a whole. You can control the use of cookies at the individual browser level, but if you choose to disable cookies, it may limit your use of certain features or functions on our website or service.

We partner with third parties to either display advertising on our Web site or to manage our advertising on other sites. Our third-party partners may use technologies such as cookies to gather information about your activities on this site and other sites in order to provide you advertising based upon your browsing activities and interests. If you wish to not have this information used for the purpose of serving you interest-based ads, you may opt-out [here](#) (or if located in the European Union, [here](#).) Please note this does not opt you out of being served ads. You will continue to receive generic ads.

## **Communications from Finalsite**

### **CUSTOMER SERVICE**

Based upon the personal information you provide us, we will send you a welcoming email to verify your username and password. We will also communicate with you in response to your inquiries, to provide the services you request or in which you express interest, and to manage your account. We will communicate with you by email or telephone, in accordance with your wishes.

### **OPT-OUT OF SPECIAL OFFERS AND UPDATES**

We will occasionally send you information on products, services, and promotions. Out of respect for your privacy, we present the option not to receive these types of communications. If you no longer wish to receive our promotional email communications, you may opt-out of receiving them by following the unsubscribe instructions included in each newsletter, by emailing us at [education@finalsite.com](mailto:education@finalsite.com), or calling us at 860.289.3507. Our portal users may opt out by clicking on the "My Account" button in the upper left



corner of the portal home page and selecting "My Subscriptions". Then under "Current Subscriptions" click on "Email Mailing List Settings".

### **ASK THE COMMUNITY AND SHARE AN IDEA PORTALS**

For users of our Ask the Community and Share an Idea portals, your data is submitted to our partners aha.io and Slack. Additionally, we may copy your data into other tools as we act upon your suggestions. We have agreements in place with these companies to ensure that they will only use your data as instructed by Finalsite. They will not share your data with any entity other than Finalsite and will not use it for their business.

Your data will be used to display your posts and responses on the portal, and to send you emails regarding your posts and responses. Finalsite may contact you directly regarding your posts and responses. All emails have unsubscribe links and you can unsubscribe from receiving emails on the posts form.

Your data will be retained for as long as we deem it useful for the portals, at which time it will be removed from the portal. Data submitted to Slack will be retained for 1 year.

You may withdraw from participation in the portals by either making a support request at <https://www.finalsitesupport.com> or sending an email to [privacy@finalsite.com](mailto:privacy@finalsite.com)

For our European Union based users. Our lawful basis of processing is "Legitimate Interests."

### **Updating Personal Information**

Upon request Active Internet Technologies will provide you with information about whether we hold any of your personal information. To request this information, please contact us by phone or postal mail at the contact information listed at the end of this policy. We will respond to these requests within a reasonable timeframe.

If your personal information changes, or if you no longer desire our service, you may correct, update, or delete your information by contacting us by telephone or postal mail at the contact information listed at the end of this policy. We will respond to your request within 30 days.

Active Internet Technologies collects information under the direction of its Clients and has no direct relationship with the individuals whose personal information it processes. If you are a customer of one of our Clients and would no longer like to be contacted by one of our Clients that use our service, please contact the Client that you interact with directly. We may transfer personal information to companies that help us provide our service. Transfers to subsequent third parties are covered by the service agreements with our Clients.

Active Internet Technologies has no direct relationship with the individuals whose personal information it processes. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data should direct his query to the Active Internet Technologies' Client (the data controller). If requested to remove data, we will respond within a reasonable timeframe.



## **LINKS TO OTHER SITES**

Our policy discloses the privacy practices for the Finalsite website. However, we do provide links to other websites. When you leave [www.finalsite.com](http://www.finalsite.com) you will go to sites outside of our control. These external sites may send their own cookies to users, collect data, or solicit personal information. The privacy policies and procedures described here for Finalsite do not apply to any external links. We encourage you to read the privacy policies of any site you link to from ours, especially if you share any personal information. Be informed. You are the person best qualified to protect your own privacy.

## **DATA RETENTION**

We will retain your information for as long as your account is active or as needed to provide you services. If you wish to cancel your account or request that we no longer use your information to provide you services, contact us at [privacy@finalsite.com](mailto:privacy@finalsite.com). We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

## **LEGAL DISCLAIMER**

We reserve the right to disclose your personal information, as well as personal information we process on behalf of our Clients for as long as needed to provide services to our Client, as required by law and when we believe that disclosure is necessary to protect our rights and/or to comply with a judicial proceeding, court order, or legal process served on our website.

## **SECURITY**

The security of your personal information is important to us. We follow generally accepted standards to protect the personal information submitted to us, both during transmission and once it is received. If you have any questions about the security of your personal information, you can contact us at [education@finalsite.com](mailto:education@finalsite.com).

## **CHANGES IN THIS PRIVACY POLICY**

If we decide to change our privacy practices, we will post those changes to this privacy policy, the home page, and other places we deem appropriate, to inform you of what information we collect, how we use it, and under what circumstances, if any, we disclose it. We reserve the right to modify this privacy policy at any time, so please review it frequently. If we change how we use your personal information we will notify you here, by email, or by means of a notice on our home page prior to the change becoming effective.

## **CONTACT US**

Feel free to contact us regarding this privacy policy at [privacy@finalsite.com](mailto:privacy@finalsite.com), by telephone at 860.289.3507, or by postal mail at Finalsite, 655 Winding Brook Drive, Glastonbury, Connecticut 06033.

# Finalsite Hosting

Our iron-clad data center and modern hardware keep your data safe.

## **SECURITY PROTOCOLS**

Sensitive data such as profile updates is transferred via SSL; likewise, passwords are stored as salted one way hashes that not even Finalsite can view. Credit card transactions are processed and handled in a separate PCI-compliant data center. Robust intrusion protection systems are utilised and are actively monitored. The physical data center can be accessed only by authorised personal and monitored 24/7 by security cameras. Audit trails exist for all data center access.

## **UPTIME PROTOCOLS (99.9% UPTIME)**

Our quality infrastructure means superior performance, stability and reliability. Our servers are constantly monitored, 24 hours a day, year-round.

## **NIGHTLY BACKUP**

Files are stored at remote facilities.

## **ACCOUNTABLE PROFESSIONALS**

We do not outsource support. In an emergency you will be in direct contact with the professionals responsible for your data.

## **FASTER BROWSING**

We've partnered with Akamai to serve selected content via their global content delivery network (CDN). This means that your geographically dispersed audience will be accessing large videos, slideshows and other critical content faster from datacenters located closer to them.

## **HIGH PERFORMANCE**

With CPU utilisation averaging just under 20%, Finalsite has plenty of power for demanding web applications.

## **DATA INTEGRATION & SINGLE SIGN-ON (SSO)**

Finalsite has partnered with the most popular and common systems in the education market to ensure that you can get the most out of your existing IT investments. We are always working on new partnerships and can often figure out a way to help tie systems to the website. A list of our partners can be found on our website <https://www.finalsite.co.uk/add-ons>

# Information Security Summary

## Application Security

Finalsite understands that our clients trust us to securely host their websites and manage their users' data, which means we regularly review the threat environments, applicable legal and regulatory requirements, and our system.

The purpose of a secure development lifecycle is to make the Finalsite's web solution resilient to attacks that attempt to compromise it through its standard web interfaces. Finalsite employs processes to ensure that our products are robust with respect to web security:

**DEVELOPER TRAINING:** Developers undergo annual application security training.

**CODE REVIEW:** All code is reviewed by other developers prior to testing. Code reviews have many purposes, including identifying potential vulnerabilities.

**STATIC ANALYSIS:** Finalsite's software is scanned after every build using automated static analysis tools. We currently use Veracode, a Gartner Magic Quadrant Vendor, in this space.

**DYNAMIC ANALYSIS:** Finalsite's software is also scanned using automated Dynamic Analysis using Veracode's platform.

**MANUAL / AUTOMATED TESTING:** Once all the issues identified above are addressed, we perform a thorough test of the software and its features.

**PRODUCTION INFRASTRUCTURE:** Finalsite's web software is hosted by Tierpoint. Tierpoint's Infrastructure includes:

## Web Hosting

### HOSTING FACILITY AND PHYSICAL ENVIRONMENT

Employee Badges	Biometrics
Man Traps	24hr x 365 days Network Operations Center
Video surveillance/ 90-day retention	Concrete masonry walls and raised floors
Ultrasonic humidification	Double, pre-action dry fire suppression system
Multiple power feeds	Multiple 10G Internet uplinks in BGP4 mesh
N+1 diesel generator and UPS	Redundant fiber feeds

## HOSTING FACILITY COMPLIANCE

SSAE 16, SOCI, & SOC2	GLBA
HIPPA/HITECH	PCI DSS v3.2
ITAR	NIST 800 Based Framework

## HIGH-PERFORMANCE

Extensive caching at all layers	Dedicated Storage Network
Akamai Accelerator platform available to speed up delivery of entire website, including all dynamic content	Integration with Akamai content delivery network (CDN) provides enhanced performance for static assets
Integration with Cloudinary for direct upload and download file transfer. On demand scaling of video and image files optimized for display size and resolution	

## BACKUP BUSINESS CONTINUITY

Hourly backups for databases (incremental, stored on site)	Nightly database backup
Server images - offsite	File data - nightly
Configuration data	Continuous uptime / performance monitoring

## NETWORKING AND HIGH AVAILABILITY

Standby generators with UPS	Redundant Internet connection
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Redundant networking configured in high availability mode	100% virtualisation infrastructure; allows servers to be "relocated" from failing or busy resources
Shared databases configured for high availability	Redundant / pooled shared application servers

## NETWORK AND APPLICATION SECURITY

HW Based DDOS Protection	Modern Firewalls
Network IPS and IDS	Continuous Vulnerability Scanning
Automated Log Monitoring / Analysis (SIEM) with multiple threat intelligence feeds	TLS Encryption by default and Encryption of data at rest
24 X 365 staffed Security Operations Center (SOC)	Web Application Firewall with Continuous threat intelligence updates
Automated Network Inventory with Alerting	Secure Software Development Process including static source code analysis, dynamic application scanning, manual code review and specialised security testing for select features.