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# Non-disclosure and confidentiality obligation for employees

I, the undersigned, employed by [EMPLOYER NAME] as [QUALIFICATION] have been duly instructed by my employer about the correct dealing with personal data according to the General Data Protection Regulation (GDPR) and to other applicable data protection provisions.

Therefore, I hereby acknowledge and accept that, in order to perform all activities specified in the employment contract signed on [DATE], I am required to collect and/or process personal data relating to clients, suppliers, other employees or staff members. I am informed that data is considered “personal” whenever it allows for the direct or indirect identification of a natural person, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

**Processing upon instruction and according to the law**
Pursuant to art. 29 GDPR, I, therefore commit to collect and/or process personal data only according to the instructions received [by the employer] / [by the controller] and in any case pursuant to applicable data protection provisions, including the GDPR of the European Union.

**Conditions for processing personal data lawfully**
In this respect, I acknowledge that any processing of personal data must be carried out according to a valid legal basis out of those recognised by art. 6 GDPR and only for the purpose they have been collected for.

Furthermore, I agree to ensure in accordance with the instructions received by the employer, that personal data

* + is processed only if and only to the extent required by the lawful purposes of processing (“**data minimisation**”), including only by those employees and colleagues whose action is required and who have been duly instructed by the employer;
	+ always accurate and, where necessary, kept up to date;
	+ kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
	+ processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful access or processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (“**integrity and confidentiality**”).

**Non-disclosure and confidentiality obligation**

I hereby commit to observe strictest confidentiality with respect to the personal data I shall collect, process, or access to in the framework of my activities for the employer, and refrain from disclosing them to any other natural or legal person, including co-workers and other staff, not expressly authorised to access it by instructions of the employer, contract or law. This non-disclosure and confidentiality obligation shall stay unaffected without limitation in time, even in case my employment should terminate.

I am aware that any infringement against this obligation or against applicable law may result in serious fines pursuant to art. 83 GDPR or other applicable European or national legislation and potentially cause damage to natural or legal persons, including the employer. I therefore commit to hold the employer harmless from any whatsoever claim exerted by third parties or fine imposed against the employer due to my culpable infringement of this non-disclosure and confidentiality obligation or statutory law. [, and to pay to the employer a contractual penalty of XX EUR for each infringement].

Name, place, date, signature