

 **AYS**

innova



Innovation and continuous improvement are two of the fundamental pillars of our organisation.



**DATA PROTECTION  
(GDPR - LOPDGDD)**

**E-COMMERCE - LSSICE**

**DATA PROTECTION  
OFFICER (DPO)**

**DIGITAL DISCONNECTION  
PROTOCOL AND  
HARASSMENT**

**WHISTLEBLOWING CHANNEL**

**PREVENTION OF MONEY  
LAUNDERING**

**EQUALITY PLAN**

**COMPLIANCE**



**AYS INNOVA** is a company specialised in **Legal Consultancy and Regulatory Compliance**.

Entity that aims to provide personalised advice and support to companies in different areas of legal regulation consultancy.

**+ 14 YEARS OF EXPERIENCE**

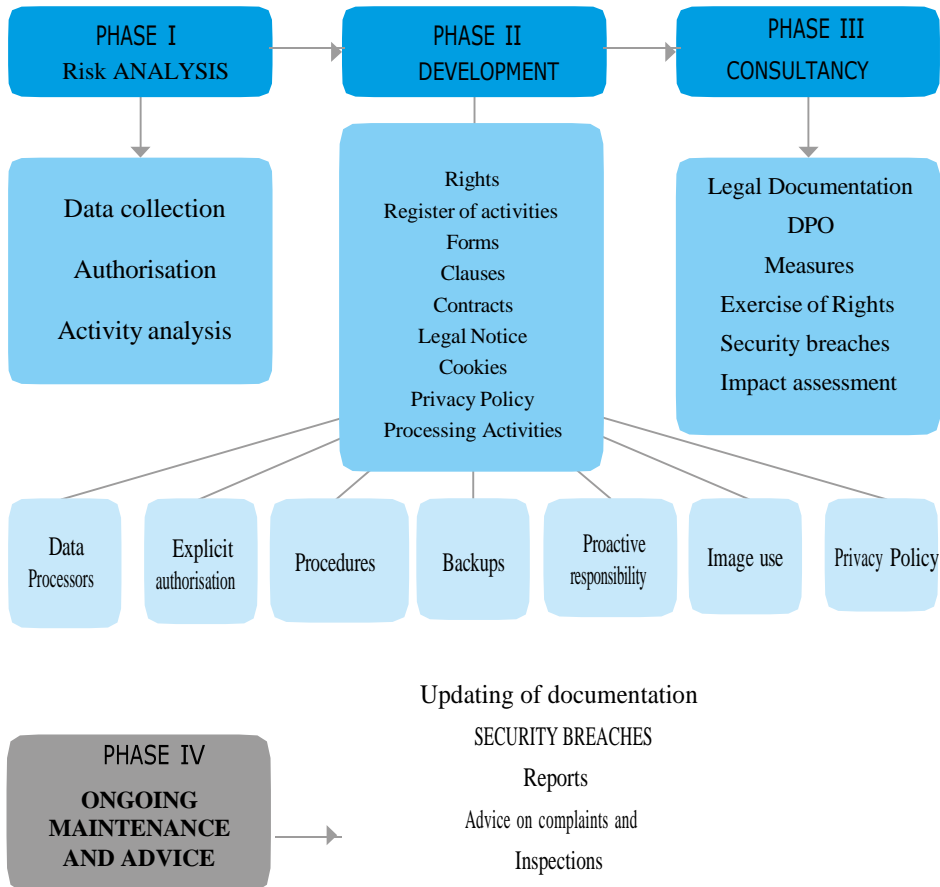
**+ 1000 ACTIVE CUSTOMERS**

Our clear objective is to be "at your service" - AYS - At Your Service, accompanying companies on the path of a necessary evolution.

To transmit confidence and continuous improvement is the arduous task we carry out every day, offering a professional and close service.

# DATA PROTECTION and DPO - DATA PROTECTION OFFICER

## E-COMMERCE (LSSI/CE)



### What are we obliged to do?

Conduct a risk analysis. Tenderness, fairness and transparency.

To obtain express consent for the processing of data.

Accurate and up-to-date information.

Register of Processing Activities

Drafting of clauses/forms, legal notices and contracts.

Adopt the necessary technical and organisational measures to ensure an adequate level of data protection.

### What do we offer?

Risk Diagnosis and Analysis.

DPO; Data Protection Officer.

Ongoing maintenance and advice.

Advice on complaints and external inspections and audits.

Preparation of legal documentation.

Adaptation to European Regulation 2016/679. Data Protection Officer.

### Penalties

New penalty regime with amounts ranging from 2% for serious infringements to 4% of the previous year's turnover for very serious infringements; or amounts of up to €10,000,000 or €20,000,000 respectively (whichever is higher).

In addition, users shall have the right to claim compensation in the event of non-compliance with the provisions of the Regulation.



# HARASSMENT PROTOCOL

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**"Digital disconnection"** is the right of workers not to have to connect to any professional device (computer, mobile, software, etc.) during their **rest periods or holidays**; including not answering calls or responding to text messages, emails, videoconferences or **any other form of digital communication outside their working hours**. A right that seeks to safeguard workers' personal and family privacy, as well as their digital privacy.

Professionals and companies with employees must draw up a series of measures and/or positive actions regarding the organisation of working time, with the aim of guaranteeing the workers' right to digital disconnection, in accordance with the provisions of **article 88 of LO 3/2018, of 5 December, on the Protection of Personal Data and guarantee of digital rights; article 18 of Law 10/2021, of 9 July, on remote work and article 20 bis of the Workers' Statute**. The importance of a Digital Disconnection Protocol goes **beyond privacy, affecting the field of workers' health** and, therefore, has implications for the prevention of occupational risks (Technical Criteria 104/2021, of 13 April 2021, on actions of the Labour and Social Security Inspectorate on psychosocial risks).

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## Development of the Digital Disconnection Protocol



The **Digital Disconnection Protocol** is configured as the document that will define the **company's internal Digital Disconnection policy**, detailing the basic points and exceptions. To this end, **AYS INNOVA** will draw up this Protocol in the **following phases**:

- **PREVIOUS ANALYSIS**: At this point it will be necessary to assess the different aspects to be dealt with due to the circumstances of each company.
- **DEVELOPMENT OF THE PROTOCOL**: Once the organisational points and behaviours that can be addressed in the Digital Disconnection Protocol have been defined, the final document will be drawn up detailing the situation and containing the agreements with the workers.
- **MONITORING**: Monitoring will be carried out to ensure that the Digital Disconnect corporate culture is adhered to by all parties involved.



# PREVENTION OF MONEY LAUNDERING

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## Prevention of Money Laundering and Financing of Terrorism



Law **10/2010 of 28 April 2010 on the Prevention of Money Laundering and Terrorist Financing** and its implementing regulation RD 304/2014 have the fundamental objective of preventing the use of certain sectors of activity for **money laundering or terrorist financing**, establishing the following obligations:

- Due diligence measures.
- Reporting suspicious transactions to the Money Laundering Prevention Service (SEPBLAC).
- Updated Money Laundering Prevention Manual.
- Notification of representative to SEPBLAC.

With this in mind, a **comprehensive PMLFT service** has been designed that includes:

- CONSULTANCY (Implementation phase)
- ADVICE (Maintenance phase)

At **AYS INNOVA** we recommend that the company is advised by **experts in the field** throughout the duration of the standard, and it is very beneficial for the client, taking into account the legal requirement for an annual report by an external expert.

# WHISTELBLOWING CHANNEL



**Law 2/2023, of 20 February**, regulating the protection of persons who report regulatory infringements and the fight against corruption, **obliges companies and public administrations to implement Whistleblowing Channels.**

A **Whistleblowing Channel** is a means of **confidentially reporting potentially irregular activities and conduct within an organisation** that may involve a breach of internal rules and/or the possible **commission of a criminal offence.**

## OBLIGED ENTITIES

In the **public sector**:

- The different **public administrations**, whether state or local.
- Associations or corporations **linked to or dependent on any public administration.**
- **Universities and public foundations.**

In the **private sector**:

- **Natural or legal persons with 50 or more employees.**
- **Legal persons** in the fields of financial services, products and markets, prevention of money laundering or terrorist financing, transport security and environmental protection, **irrespective of the number of employees.**
- Legal persons carrying out activities in Spain **through branches or agents, through the provision of services without a permanent establishment.**
- **Political parties, trade unions, business organisations and foundations.**

## IMPLEMENTATION DEADLINES

The **maximum period** within which they will have to adapt to the regulations:

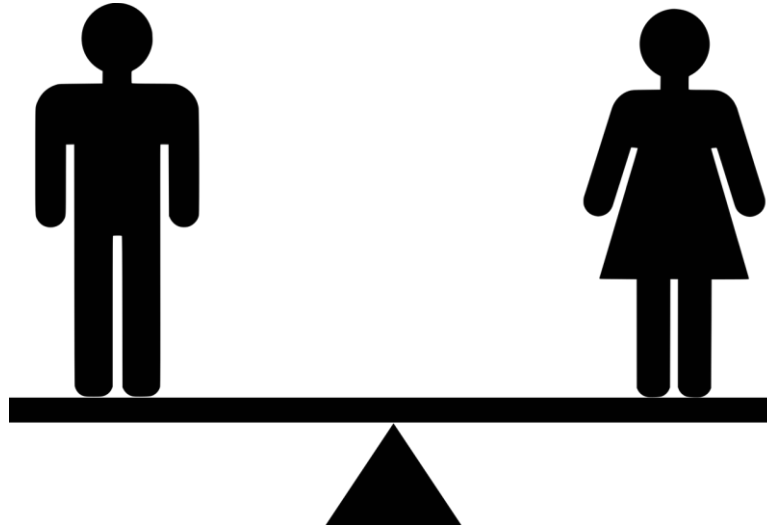
- Companies with more than 250 employees, those that fall within the scope of the prevention of money laundering and public entities linked to or dependent on a public administration will have **3 MONTHS from its publication in the Official State Gazette of Spain.**
- Companies with more than 50 employees (up to 249) and municipalities with less than 10,000 inhabitants, **until 1 December 2023.**

## WHISTELBLOWING CHANNEL MANAGEMENT

Private companies and Public Administrations may **outsource the management of the Whistleblowing Channel to AYS INNOVA**, thus guaranteeing total respect for the independence, confidentiality, data protection and secrecy of communications.

# EQUALITY CONSULTING

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## HARASSMENT PROTOCOL

The harassment protocol is a plan that must contemplate those measures that are necessary to **prevent, avoid or eliminate any type of workplace harassment** in the company (physical or psychological). This action document must include the **mechanisms for reporting and sanctioning workers** who engage in this type of behaviour.

The implementation and operation of a workplace harassment protocol is a **MUST** for all companies, **REGARDLESS OF THE SIZE OF THE WORKFORCE.**

## EQUALITY PLAN

All companies are obliged to respect equal treatment and equal opportunities in the workplace. This implies the adoption of **measures aimed at avoiding any discrimination between men and women in the workplace.** The Equality Plan sets out the company's systematic approach to this end, and would include the Protocol on Harassment at Work. The **obligatory nature of the Equality Plans** has been established according to the size of the company (in different periods of time):

- 2020: Companies and entities with +150 employees.
- 2021: Companies and entities with more than 100 employees.
- Last deadline **March 2022**: Companies and entities with **more than 50** employees.

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For the development and implementation of the Harassment Protocol and/or the Equality Plan, it is ideal to have **specialised advice on the subject.** At **AYS Innova** we are already part of the **Digital Pact for the Protection of Persons of the Spanish Data Protection Agency** and its complaint channel, and we have **extensive experience** in the development of legal and business documentation.



# COMPLIANCE

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Regulatory compliance (Compliance) is essential to ensure the integrity and sustainability of organizations. Our approach focuses on **designing, implementing, and monitoring Compliance programs tailored to the specific needs of each company**, ensuring adherence to applicable regulations and fostering an ethical and transparent corporate culture.

## What do we offer?

- **Initial diagnosis:** Identification of regulatory risks and areas for improvement.
- **Design of Compliance programs:** Includes internal policies, manuals, and procedures adapted to sectoral regulations.
- **Continuous maintenance:** We oversee compliance through internal audits and control systems.
- **Contingency advisory:** Legal support in cases of complaints, inspections, or potential sanctions.

# Some of our customers, our greatest pride...



Concello de Pontevedra



**cabomar**



**Abramar viajes**



**Lufthansa**

City Center



FRIGORÍFICOS DE VIGO, S.A.



**internaco**



**PESCAPUERTA**

**DFG**

QUARRIES



comunicación  
**CÚBICA**

*Botamavi*  
SERVICIOS PORTUARIOS

**GRUAS ESTACION**





**DISTRITO**



**SOCOGAS, S.A.**  
Instalaciones Domésticas e Industriales  
de Gas natural y Propano



**AGC**



**COLEXIO OFICIAL DA  
ARQUITECTURA TÉCNICA  
DE OURENSE**



**LEGAL REGULATIONS - DATA PROTECTION (GPDR - LOPDGDD) - DATA PROTECTION OFFICER (DPO)  
E-COMMERCE (LSSICE) - PREVENTION OF MONEY LAUNDERING - DIGITAL DISCONNECTION PROTOCOL  
WHISTLEBLOWING CHANNEL - EQUALITY PLAN - HARASSMENT PROTOCOL - COMPLIANCE**

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