

CODE OF CONDUCT FOR PARTICIPANTS OF THE FOUNDATION DUTCH HOSTING PROVIDER ASSOCIATION

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This code describes the policy of DHPA participants regarding their behavior as a service provider towards their business partners, fellow participants, their staff and towards society as a whole.

General

1. Participants conduct their activities on the basis of integrity, openness and honesty with respect for the interests of customers, employees, the hosting industry and society.
2. Participants are customer-oriented, proactive and innovative.
3. Participants recognize their social responsibility with regard to ensuring confidence in online service in general, and are aware of the significance of the reliability and safety of their service for the economy.
4. Participants recognize their social responsibility with regard to the responsible use of energy and emission levels, and deliver their services from data centers that meet state of the art market requirements with respect to environment and energy¹
5. Participants have a policy for continuous improvement of the knowledge and skills of their employees, by, among other things, facilitating training and certifications.
6. Participants contribute to continuity of knowledge and experience in the field of the online service sector through active cooperation with educational institutions.
7. Participants respect their mutual interests, without limiting the competition. This includes recruiting of scarce personnel with the aim of preventing effective competition or the acquisition of trade secrets.
8. Participants refrain from making statements that harm the reputation of other participants or the Hosting sector in general.
9. Participants publish their participation and their conformity to this code on their website.

Services

10. Participants shall only offer services for which they are sufficiently qualified.
11. Participants shall provide their services on the basis of a solid Service Level Agreement (SLA) which definitions and topics are included as listed in the example SLA of the DHPA².
12. Participants shall have a policy for ensuring the availability and continuity of their service, and for securing the information entrusted to them from unauthorized access. They shall base this policy on market standards such as relevant ISO standards and shall demonstrate the effectiveness of such policies through periodic external audits or certifications.

¹ An example of such an environmental standard is the ISO14001

² See <http://www.dhpa.nl/sla.html>

13. DHPA participants guarantee that services that are subject to rules and provisions of EU privacy legislation and/or Safe Harbor, are provided on the basis of computing and storage infrastructure hosted in data centers that are exclusively under the jurisdiction of a member of the EU.
14. Participants can be reached 24 hours a day 7 days a week by telephone for their customers in the event of failures and disasters.
15. Participants shall use the code Notice and Takedown (NTD)³ and mention this on their site.
16. Participants shall honor intellectual property rights by correctly applying the terms of use of their suppliers.
17. Participants shall generously participate in settlement of termination by customers, such as the delivery of data or the migration to other service providers, provided that buyer has fulfilled its contractual obligations.
18. Participants shall offer their customers options to protect themselves against risks that threaten the continuity by offering, for example, escrow, or similar arrangements.
19. Participants shall protect their customer against the possible consequences of financial threats to business continuity, such as having an insurance against professional liability claims.
20. If a participant is affected by a disaster leading to prolonged interruption of service to its customers, the other participants, based on their own range of services, will make efforts to deliver services to affected customers.

Infringements

21. The DHPA will investigate complaints about (possible) violations of this code. If the DHPA Board determines that the complaint is founded then relevant participant will be noticed accordingly and to remediate this violation within a reasonable time.
22. If the participant does not remediate such violation the Board will deny the participant the right to use the DHPA logo. Repeated infringements of the code are ground for permanent suspension without right to a refund.

This document

23. The industry in which the DHPA is active, is changing fast. This Code of Conduct will therefore be reviewed periodically.

Leiderdorp, September 6, 2013 © Dutch Hosting Provider Association

³ See <http://www.dhpa.nl/ntd.html>