

# Verisk Financial | Retail Solutions

## EU-U.S./Swiss-U.S. Privacy Shield: Consumer Privacy Policy

*Updated: April 17, 2019*

Verisk Crime Analytics, Inc. (“VCA”) respects your concerns about privacy. VCA participates in the EU-U.S. Privacy Shield and Swiss-U.S. Privacy Shield (“Privacy Shield”) Frameworks issued by the U.S. Department of Commerce. VCA commits to comply with the Privacy Shield Principles with respect to consumer personal data that our company receives from the European Union, the United Kingdom, and Switzerland in reliance on the Privacy Shield. This Policy describes how VCA implements the Privacy Shield Principles for consumer personal data associated with VCA’s Retail Solutions business.

### **For the purposes of this Policy:**

“Consumer” means any natural person who is located in the EU or Switzerland, but excludes any individual acting in his or her capacity as an employee.

“Controller” means a person or organization that, alone or jointly with others, determines the purposes and means of the processing of personal data.

“Customer” means any entity that purchases or otherwise obtains products or services from VCA.

“Employee” means any current, former, or prospective employee of VCA, or any of its EU or Swiss affiliates, located in the EU, the United Kingdom, and Switzerland.

“EU” means the European Union and Iceland, Liechtenstein, and Norway.

“Personal data” means any information, including sensitive data, that is (i) about an identified or identifiable individual, (ii) received by VCA in the United States from the EU, the United Kingdom, and Switzerland, and (iii) recorded in any form.

“Privacy Shield Principles” means the principles and supplemental principles of the Privacy Shield.

“Processor” means any natural or legal person, public authority, agency, or other body that processes personal data on behalf of a controller.

“Sensitive data” means personal data specifying medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, sex life, the commission or alleged commission of any offense, any proceedings for any offense committed or alleged to have been committed by the individual or the disposal of such proceedings, or the sentence of any court in such proceedings.

"Swiss" means Switzerland.

VCA's EU-U.S./Swiss-U.S. Privacy Shield certification can be found at <https://www.privacyshield.gov/>. For more information about VCA's processing of personal data obtained from consumers on its website, please see the Retail Solutions [Online Privacy Notice](#).

## **Types of Personal Data VCA Collects**

VCA complies with the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union, the United Kingdom, and Switzerland to the United States. VCA has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this Privacy Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program and to view our certification, please visit <https://www.privacyshield.gov/>.

VCA collects personal data directly from consumers. This collection occurs, for example, when a consumer visits the Retail Solutions website and provides personal data to VCA. Click [here](#) for information on the types of personal data that VCA receives through its Retail Solutions website. In addition, VCA obtains consumer personal data, such as contact information, in connection with maintaining its customer relationships and providing its products and services to customers.

As a processor, VCA receives personal data about its customers' consumers located in the EU, the United Kingdom, and Switzerland. VCA's customers provide the personal data to VCA in connection with VCA's provision of services to its customers. In this capacity, VCA acts pursuant to its customers' instructions. The types of personal data VCA's customers provide include names, postal addresses, e-mail addresses, phone numbers, dates of birth, gender, financial information, and occupation information. VCA processes consumer personal data in the United States to provide products and services; perform data analytics; and conduct management, information technology, business development, customer support, and operations support services.

VCA's privacy practices regarding the processing of consumer personal data comply, as appropriate, with the Privacy Shield Principles of notice; choice; accountability for onward transfer; security; data integrity and purpose limitation; access; and recourse, enforcement, and liability.

## **Notice**

VCA provides information in this Policy and the [Retail Solutions Online Privacy Notice](#) about its consumer personal data practices, including the types of personal data that VCA collects, the types of third parties to which VCA discloses the personal data and the purposes for doing so, the rights and choices consumers have for limiting the use and disclosure of their personal data, and how to contact VCA about its practices concerning

personal data.

When VCA acts as a processor and consumer personal data is transferred to VCA in the United States on behalf of a customer, the customer is responsible for providing appropriate notice to its consumers and obtaining the requisite consent.

Privacy notices pertaining to specific data processing activities also may contain relevant information.

### **Choice**

When VCA collects personal data directly from consumers, the company generally offers those consumers the opportunity to choose whether their personal data may be (i) disclosed to third-party controllers or (ii) used for a purpose that is materially different from the purposes for which the information was originally collected or subsequently authorized by the relevant consumer. To the extent required by the Privacy Shield Principles, VCA obtains opt-in consent for certain uses and disclosures of sensitive data. Consumers may contact VCA as indicated below regarding the company's use or disclosure of their personal data. Unless VCA offers consumers an appropriate choice, the company uses personal data only for purposes that are materially the same as those indicated in this Policy or the Retail Solutions [Online Privacy Notice](#).

When VCA maintains personal data about consumers with whom VCA does not have a direct relationship because VCA obtained or maintains the consumers' data as a processor, VCA's customers are responsible for providing the relevant consumers with certain choices with respect to the customers' use or disclosure of the consumer personal data.

VCA shares consumer personal data with its affiliates and subsidiaries. VCA may disclose consumer personal data without offering an opportunity to opt out and may be required to disclose the personal data (i) to third-party processors the company has retained to perform services on its behalf and pursuant to its instructions; (ii) if it is required to do so by law or legal process; or (iii) in response to lawful requests from public authorities, including to meet national security, public interest, or law enforcement requirements. VCA also reserves the right to transfer personal data in the event of an audit or if the company sells or transfers all or a portion of its business or assets (including in the event of a merger, acquisition, joint venture, reorganization, dissolution, or liquidation).

### **Accountability for Onward Transfer of Personal Data**

This Policy and the Retail Solutions [Online Privacy Notice](#) describe Retail Solutions' sharing of consumer personal data.

To the extent VCA acts as a controller, except as permitted or required by applicable law,

VCA provides consumers with an opportunity to opt out of sharing their personal data with third-party controllers. VCA requires third-party controllers to whom it discloses consumer personal data to contractually agree to (i) process the personal data only for limited and specified purposes consistent with the consent provided by the relevant consumer, (ii) provide the same level of protection for personal data as is required by the Privacy Shield Principles, and (iii) notify VCA and cease processing personal data (or take other reasonable and appropriate remedial steps) if the third-party controller determines that it cannot meet its obligation to provide the same level of protection for personal data as is required by the Privacy Shield Principles.

With respect to transfers of consumer personal data to third-party processors, VCA (i) enters into a contract with each relevant processor, (ii) transfers personal data to each such processor only for limited and specified purposes, (iii) ascertains that the processor is obligated to provide the personal data with at least the same level of privacy protection as is required by the Privacy Shield Principles, (iv) takes reasonable and appropriate steps to ensure that the processor effectively processes the personal data in a manner consistent with VCA's obligations under the Privacy Shield Principles, (v) requires the processor to notify VCA if the processor determines that it can no longer meet its obligation to provide the same level of protection as is required by the Privacy Shield Principles, (vi) upon notice, including under item (v) above, takes reasonable and appropriate steps to stop and remediate unauthorized processing of the personal data by the processor, and (vii) provides a summary or representative copy of the relevant privacy provisions of the processor contract to the Department of Commerce, upon request. VCA remains liable under the Privacy Shield Principles if the company's third-party processor transfers personal data in a manner inconsistent with the Privacy Shield Principles, unless VCA proves that it is not responsible for the event giving rise to the damage.

## **Security**

VCA takes reasonable and appropriate measures to protect consumer personal data from loss, misuse, and unauthorized access, disclosure, alteration, and destruction, considering the risks involved in the processing and the nature of the personal data.

## **Data Integrity and Purpose Limitation**

VCA limits the consumer personal data it processes to that which is relevant for the purposes of the particular processing. VCA does not process consumer personal data in ways that are incompatible with the purposes for which the information was collected or subsequently authorized by the relevant consumer. In addition, to the extent necessary for these purposes and consistent with its role as a controller or processor, VCA takes reasonable steps to ensure that the personal data the company processes is (i) reliable for its intended use and (ii) accurate, complete, and current. In this regard, VCA relies on its consumers and customers (with respect to personal data of consumers with whom VCA does not have a direct relationship) to update and correct the relevant personal data to the extent necessary for the purposes for which the information was collected or subsequently authorized. Consumers (and customers, as appropriate) may contact VCA as indicated below to request that VCA update or correct relevant personal data.

Subject to applicable law, VCA retains consumer personal data in a form that identifies or renders identifiable the relevant consumer only for as long as it serves a purpose compatible with the purposes for which the personal data was collected or subsequently authorized by the consumer or customer, as appropriate.

## **Access**

Consumers generally have the right to access their personal data. Accordingly, to the extent VCA acts as a controller, where appropriate, VCA provides consumers with reasonable access to the personal data that VCA maintains about them. VCA also provides a reasonable opportunity for those consumers to correct, amend, or delete the information where it is inaccurate or has been processed in violation of the Privacy Shield Principles, as appropriate. VCA may limit or deny access to personal data where the burden or expense of providing access would be disproportionate to the risks to the consumer's privacy in the case in question or where the rights of persons other than the consumer would be violated. Consumers may request access to their personal data by contacting VCA as indicated below.

When VCA maintains personal data about consumers with whom VCA does not have a direct relationship because VCA maintains the consumers' data as a processor for its customers, VCA's customers are responsible for providing consumers with access to the personal data and the right to correct, amend, or delete the information where it is inaccurate or has been processed in violation of the Privacy Shield Principles, as appropriate. In such circumstances, consumers should direct their questions to the appropriate VCA customer. When a consumer is unable to contact the appropriate customer or does not obtain a response from the customer, VCA will provide reasonable assistance in forwarding the consumer's request to the customer.

## **Recourse, Enforcement, and Liability**

In compliance with the Privacy Shield Principles, VCA commits to resolve complaints about our collection or use of your personal information. EU, United Kingdom, and Swiss individuals with inquiries or complaints regarding our Privacy Shield Policy should first contact VCA at [privacy@verisk.com](mailto:privacy@verisk.com).

VCA has further committed to cooperate with the panel established by the EU Data Protection Authorities (DPAs) and the Swiss Federal Data Protection and Information Commissioner (FDPIC) with regard to unresolved Privacy Shield complaints concerning human resources data transferred from the EU, the United Kingdom, and Switzerland in the context of the employment relationship.

VCA has mechanisms in place designed to help assure compliance with the Privacy Shield Principles. VCA conducts an annual self-assessment of its consumer personal data practices to verify that the attestations and assertions the company makes about its Privacy Shield privacy practices are true and that the company's privacy practices have been implemented

as represented and in accordance with the Privacy Shield Principles.

Consumers may file a complaint concerning VCA's processing of their personal data. VCA will take steps to remedy issues arising out of its alleged failure to comply with the Privacy Shield Principles. Consumers may contact VCA as specified below about complaints regarding the company's consumer personal data practices.

If a consumer's complaint cannot be resolved through VCA's internal processes, VCA will cooperate with JAMS (Judicial Arbitration and Mediation Services) pursuant to the JAMS International Mediation Rules, available on the JAMS website at <https://www.jamsadr.com/eu-us-privacy-shield>. JAMS mediation may be commenced as provided for in the relevant JAMS rules. Following the dispute resolution process, JAMS or the consumer may refer the matter to the U.S. Federal Trade Commission, which has Privacy Shield investigatory and enforcement powers over VCA. Under certain circumstances, consumers also may be able to invoke binding arbitration to address complaints about VCA's compliance with the Privacy Shield Principles.

When VCA maintains personal data about consumers with whom VCA does not have a direct relationship because VCA obtained or maintains the consumers' data as a processor for its customers, consumers may submit complaints concerning the processing of their personal data to the relevant customer, in accordance with the customer's dispute resolution process. VCA will participate in this process at the request of the customer or the consumer.

In the context of an onward transfer, VCA has a responsibility for the processing of personal information that it receives under the Privacy Shield and subsequently transfers to a third party acting as an agent on its behalf. VCA shall remain liable under the Principles if its agent processes such personal information in a manner inconsistent with the Principles, unless VCA proves that it is not responsible for the event giving rise to the damage.

### **How to Contact VCA**

For questions or concerns about this Policy or VCA's consumer personal data practices:

Verisk Crime Analytics, Inc.  
Risk and Compliance  
545 Washington Boulevard  
Jersey City, New Jersey 07310-1686  
E-mail: [privacy@verisk.com](mailto:privacy@verisk.com)