

# KROLL

## **EUROPEAN UNION SAFE HARBOR PRIVACY POLICY**

Kroll Background America, Inc. (“Kroll”) receives personal information<sup>1</sup> pertaining to data subjects residing in the European Union (“EU”). Such personal information may be received from subjects through the subject’s voluntary submission in writing, electronic submission via our website, or from our clients in connection with requests for background screening services we provide. Kroll is a participant in the Safe Harbor program developed by the U.S. Department of Commerce and the European Union. Kroll has certified that it adheres to the seven Safe Harbor Principles published by the U.S. Department of Commerce with regard to the use of certain personal information. For more information about the Safe Harbor and to view Kroll’s certification, please visit: <http://www.export.gov/safeharbor/>. In addition all personal information is collected, stored and used in compliance with the Fair Credit Reporting Act (“FCRA”) and other state and federal laws where applicable, which regulate a majority of the background screening reports prepared by Kroll (i.e. consumer reports).

### **Kroll’s Adherence to the Safe Harbor Principles**

#### **Notice**

Kroll collects, uses, and discloses personal information which it provides to employers or their agents (i.e. staffing firms or recruiters) for use in making employment-related decisions, such as whether to hire, retain, promote, or re-assign an individual. Kroll also performs background screening services for investment due diligence purposes. All services are performed in accordance with applicable state, federal and national laws.

Kroll informs individuals about the purposes for which it collects and uses personal information, how to contact Kroll with inquiries or disputes, the types of third parties that Kroll discloses information to, and provides individuals with choices on limiting the use and disclosure of their personal information. Kroll informs individuals of this information through various means, including its general privacy policy and through the distribution of required FCRA notices provided directly to individuals by Kroll or through Kroll’s contractual relationship with its clients.

#### **Choice**

Kroll’s policy is to provide individuals with clear and conspicuous, readily available, and affordable mechanisms to exercise choice. The FCRA requires Kroll to always obtain a disclosure and authorization form signed by the individual before furnishing a consumer report for employment purposes.

---

<sup>1</sup> Personal information is defined as data about an identified or identifiable individual that are within the scope of the EU Directive, received by Kroll from the EU and recorded in any form.

Kroll will provide individuals an opt in choice for any sensitive information<sup>2</sup> collected from the EU that is disclosed to a third party. Kroll does not use information for any purpose other than for which it was originally collected or subsequently authorized by the individual. Kroll will also treat any information received from a third party as sensitive where the third party treats and identifies it as sensitive.

## **Onward Transfer**

Our transfer of Personal Information to third parties will be done in compliance with the notice and choice principles above, where applicable. In situations where Kroll provides a consumer report to a third party, Kroll complies with the requirements of the FCRA.

If Kroll discloses personal information to our agents it will either enter into a written agreement with the agent requiring them to provide at least the same level of privacy protection as is required by the Safe Harbor Privacy Principles, or Kroll will verify that the agent subscribes to the Safe Harbor Principles or is subject to the Directive or another adequacy finding.

## **Security**

Protecting confidential information is our business; therefore, Kroll takes all appropriate measures to assure the security of personal data. Kroll uses advanced encryption technology – 128-bit Secure Socket Layer (SSL) - to keep personal information and data secure from unauthorized access. All data is stored on our servers in a secure, encrypted manner. Access to those servers is strictly limited to network administrators and other authorized personnel of Kroll, who have been trained to protect against loss, misuse, unauthorized access, disclosure, alteration or destruction of personal data under Kroll's control. Kroll takes pride in its technology and security policies. Kroll strives to know that our customers are legitimate and verify that they have an appropriate and lawful purpose for obtaining information. Kroll continues implementing and updating security safeguards, as appropriate.

## **Data Integrity**

Kroll makes every effort to ensure that the data we receive, collect, and store about individuals is as accurate as possible. However, Kroll does not vouch for, and is not responsible for, incomplete, inaccurate or not current data about individuals that may be supplied to Kroll by a third-party source.

In the case of consumer reports, Kroll has developed policies and procedures to meet the FCRA's requirements regarding the accuracy of the information contained in consumer reports; reporting restrictions on the information that can be included in consumer reports; and requirements regarding the reporting of certain public record information.

---

<sup>2</sup> Sensitive information is defined as personal information specifying medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership or information specifying the sex life of the individual

## **Access**

Individuals have the right to access any reports Kroll produces and maintains about them. Individuals may contact Kroll by contacting the individual named below or calling our FCRA automated telephone number at 1 (888) 381-7866, at any time to determine whether we hold any personal information about the individual and to obtain access to that information. Kroll will only afford access to an individual's data upon proof of identification that the requestor is the individual to whom the data pertains. Kroll will mail a copy of such information within seven (7) days. For consumer reports subject to the FCRA, individuals also have specific rights to dispute the accuracy and completeness of personal information in their file and may also call 1 (888) 381-7866 to dispute information which appears on their consumer report.

## **Enforcement**

Kroll participates in the EU Safe Harbor Privacy Framework as set forth by the Department of Commerce. As part of our participation in Safe Harbor, we have designated the American Arbitration Association as our independent recourse mechanism for investigation of unresolved complaints relating to our compliance with the Safe Harbor Privacy Framework.

For any complaints regarding our compliance with the Safe Harbor Framework, please contact Kroll's Chief Compliance Officer, Joseph Buczek at: [jbuczek@kroll.com](mailto:jbuczek@kroll.com). If contacting Kroll does not resolve the complaint, please contact the American Arbitration Association by one of the following means:

Mail: 1633 Broadway, 10th Floor  
New York, New York 10019

Web: [www.adr.org](http://www.adr.org)

Phone: Toll Free: 1-800-778-7879

For More Information regarding this policy, please contact:

Joseph S. Buczek CPA, CFE, CFF  
Chief Compliance Officer  
Kroll, Inc.  
1166 Avenue of the Americas  
New York, NY 10036  
(212) 833-3269