

**ICC-SRCC**

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ICC-SRCC™ Confidentiality Policy

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I. PURPOSE

This Policy establishes the rules and requirements for maintaining confidentiality related to Solar Rating & Certification Corporation (“ICC-SRCC”) certification programs. ICC-SRCC values the participation of its employees, subcontractors and contractors (“ICC-SRCC Representatives”), who make contributions to the development and advancement of ICC-SRCC. “Confidential Information” shall include ICC-SRCC’s proprietary, non-public information and/or information concerning the status of matters under consideration by ICC-SRCC, including but not limited to communications or documents that are provided in tangible form and are clearly marked as “Confidential,” or if disclosed orally, that are clearly identified as “Confidential” at the time of disclosure or within 30 days after such initial disclosure. “Confidential Information” shall also include the information, processes, documents, materials, and/or communications expressly mentioned or described within this policy.

ICC-SRCC’s business activities and economic well-being are dependent upon the protection and maintenance of all confidential and proprietary information. All ICC-SRCC operations, methods, materials, documents, procedures, and proceedings are considered private, confidential, and proprietary information.

The confidentiality rules described below are not a complete statement of the Policy’s requirements; additional prohibitions or restrictions may apply to situations involving an appearance of impropriety and inappropriate communications to third parties concerning ICC-SRCC

This Policy is intended to comply with the requirements of ISO/IEC 17065:2012 relating to the maintenance of confidentiality.

II. POLICY

ICC-SRCC certification personnel, including subcontractors, shall not discuss or convey any process, certification decision or status, product or supplier-identifiable information with anyone outside of ICC-SRCC, other than the supplier’s identified contact personnel on record or as required to obtain or maintain ICC-SRCC’s accreditations, without the written consent of the supplier, unless directly required by law. Where the law requires information to be disclosed to a third party, the supplier shall be informed in writing of the information that has been provided.

ICC-SRCC shall not design, supply, or provide any services that compromise the confidentiality of supplier product information or certification process decisions or status. All active certifications will be listed on the ICC-SRCC website. Written requests for confidential keeping of supplied information shall be honored consistent with applicable laws. Confidential information and records shall be identified, managed, maintained, and/or stored in accordance with the *ICC-SRCC Records Policy*.

ICC-SRCC shall include the following in contractual agreements [in accordance with ISO/IEC 17065 section 4.1.2.2: c)1)]:

- The Participant/Applicant makes all necessary arrangements for the conduct of the product or system evaluation and certification surveillance;
- The Participant/Applicant grants access to documentation and records including provision for examining these documents and records;
- The Participant/Applicant grants access to the relevant equipment, location(s), area(s), personnel, and client's subcontractors; and,
- The Participant/Applicant shall agree as part of a legal enforceable agreement to grant access to an observer for the purpose of inspection and audit activities.

In accordance with ISO/IEC 17065 section 6.2.2.3, ICC-SRCC shall have a legally binding contract with all bodies that provide outsourced services, including provisions for confidentiality and conflict of interest as specified in ISO/IEC 17065 6.1.3, item c.

In accordance with ISO/IEC 17065 section 4.5.2, ICC-SRCC shall include a provision in the agreement with Participants that requires ICC-SRCC to obtain consent from a Participant/Applicant prior to release of confidential information. ICC-SRCC is not required to obtain this consent if prohibited by law or court order.

ICC-SRCC shall, in accordance with ISO/IEC 17065 section 4.5.3, treat Information about clients obtained from sources other than the client (e.g. from a complainant or from regulators) as confidential.

To meet the specific requirements related to ISO/IEC 17065 section 6.1.2.2 pertaining to related bodies, committees, and volunteers, an *ICC-SRCC™ Volunteer's Agreement to Assign Copyrights* shall be signed.

III. CONDUCT REQUIREMENTS/PROHIBITIONS:

- A. Confidential ICC-SRCC Information. An ICC-SRCC Representative shall not disclose any confidential, trade secret, proprietary or other private information to others, including any information related to ICC-SRCC decisions and actions, or related communications, received during service to ICC-SRCC, or while acting in furtherance of ICC-SRCC interests. Confidential information shall not be used for the advantage of a Representative or others, and shall not be revealed to others following the termination of a Representative's employment with, or other service(s) to, ICC-SRCC.
- B. Appearance of Impropriety. An ICC-SRCC Representative shall not engage or participate in any activity that involves a significant appearance of impropriety, as determined by the ICC-SRCC Executive Director consistent with this Policy.