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# ICC-SRCC™ CONFIDENTIALITY POLICY

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## 1. INTRODUCTION

ICC-SRCC's business activities and economic well-being are dependent upon the protection and maintenance of all confidential and proprietary information. The *ICC-SRCC Confidentiality Policy* ("Policy") is intended to comply with the requirements of ISO/IEC 17065-2012 relating to the maintenance of confidentiality, especially Section 4.5.

## 2. PURPOSE

This Policy establishes the rules and requirements for maintaining confidentiality related to Solar Rating & Certification Corporation (ICC-SRCC) certification programs conducted under the ICC-SRCC and ICC-SWCC ("Small Wind Certification Council") names.

This policy is applicable to all ICC-SRCC employees, subcontractors and contractors ("Representatives"), who participate in the development, operation and advancement of ICC-SRCC certification programs.

## 3. REFERENCES

*ISO/IEC 17065-2012 Conformity assessment - Requirements for bodies certifying products, processes and services*

## 4. GENERAL (4.5)

ICC-SRCC shall be responsible for the management of all information obtained or created during the performance of certification activities.

### 4.1 Confidential Information

"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:

- confidential, trade secret, proprietary or other private information from applicants and clients, and
- status of certifications, inspections or applications, and
- information about applicants or clients obtained from sources other than the client,
- any information related to ICC-SRCC decisions and actions, or related communications, and
- communications or documents that are provided in tangible form and are clearly marked as "Confidential" by the client, or if disclosed orally, that are clearly identified as "Confidential" at the time of disclosure or within 30 days after such initial disclosure, and

- ICC-SRCC operations, methods, materials, documents and procedures unless expressly approved for public release, and
- Other information, processes, documents, materials, and/or communications expressly mentioned or described within this policy.

Information made publicly available by the client shall not be considered confidential information. Where an agreement is established between the certification body and client permitting the release specific information, it shall not be considered confidential within the limits of the agreement.

#### **4.2 Contractual Agreements with Clients (4.1.2.2)**

ICC-SRCC shall include the following in contractual certification agreements regarding access to information for the purposes of operating certification programs:

Client shall make all necessary arrangements for the conduct of certification surveillance, and

- Client grants access to documentation and records by ICC-SRCC Representatives, including provision for examining these documents and records, and
- Client grants ICC-SRCC representatives access to the relevant equipment, locations, areas, personnel, and subcontractors and,
- Client agrees as part of a legal enforceable agreement to grant access to an observer for the purpose of inspection and audit activities.

#### **4.3 Notification**

ICC-SRCC shall inform clients of information to be placed in the public domain in advance. Where ICC-SRCC is required by law or contractual arrangements to disclose information to a third party, the client or person concerned shall be notified of the information provided.

**Exception:** Notification shall not be provided when prohibited by law.

#### **4.4 Records**

Confidential information and records shall be identified, managed, maintained, and/or stored in accordance with the *ICC-SRCC Records Policy*.

## **5. CONDUCT REQUIREMENTS AND PROHIBITIONS**

ICC-SRCC employees, external resources, and volunteers (“Representatives”) shall not disclose any confidential information, as defined in this policy, 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. Confidential information shall not be revealed to others following the termination of a Representative’s employment with, or provision of other service(s) to, ICC-SRCC.

## **5.1 Agreements with External Resources (6.1.2, 6.1.3, 6.2.2.3)**

ICC-SRCC shall maintain a legally binding contract with all external resources that provide outsourced services related to ICC-SRCC certification activities, requiring the maintenance of confidentiality in accordance with this Policy

External volunteers participating in ICC-SRCC committees activities that may be exposed to information related to certification programs shall comply with this Policy. External volunteers shall be required to review and sign *ICC-SRCC Volunteer's Agreement to Assign Copyrights* before participating in approved ICC-SRCC activities.

**5.2 Appearance of Impropriety.** ICC-SRCC Representatives shall not engage or participate in any activity that involves a significant appearance of impropriety, as determined by the ICC-SRCC consistent with this Policy and as applicable.