Safe Harbor Policy

Overview

Cognizant Technology Solutions U.S. Corporation and its US affiliates (“Cognizant”) respect the privacy of its customers, suppliers, business partners and others. This policy describes the privacy principles Cognizant follows with respect to Personal Data it receives from the European Economic Area (“EEA”) and Switzerland, whether in electronic, paper or verbal form.

This policy does not cover the Human Resources Personal Data Cognizant receives from the EEA and Switzerland. The privacy principles that apply to Human Resources Personal Data are set out in separate notices and policies that are made available to Cognizant employees.

Cognizant provides various services to businesses, including information technology, consulting and business process outsourcing services. Cognizant acts as a Data Processor on behalf of its customers. In this capacity, Cognizant does not own or have independent rights to control the use of the Personal Data it receives and will follow the customer’s instructions with respect to the disclosure, transfer, processing and use of such Personal Data.

Safe harbor statement

Cognizant complies with the U.S.-EU safe harbor framework and the U.S.-Swiss safe harbor framework as set forth by the U.S. Department of Commerce regarding the collection and use of Personal Data from the EEA and Switzerland. Cognizant has certified its adherence to the safe harbor principles and will process Personal Data it receives from the EEA and Switzerland in accordance with the safe harbor principles.

For further information about the safe harbor program and to view Cognizant’s certification, please visit http://www.export.gov/safeharbor/.

Definitions

**Agent:** any third-party data processor that processes Personal Data provided by Cognizant on its behalf and under its instructions.

**Data Controller:** any party that determines the purposes for which, and the manner in which, Personal Data is processed.

**Data Processor:** any party that processes Personal Data on behalf of a Data Controller.

**Data Protection Directive:** EU Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data.
**Personal Data:** any information that identifies or could be used to identify (together with other information) a living individual.

**Sensitive Personal Data:** any Personal Data that reveals race, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, information concerning health or sex life, and information about criminal or administrative proceedings and sanctions.

**Notice**

Where Cognizant collects Personal Data directly from individuals in the EEA or Switzerland, it will inform them about the purposes for which it intends to use their Personal Data, the types of non-Agents, if any, to which it will disclose their Personal Data, and the choices and means, if any, that it offers individuals for limiting the use and disclosure of their Personal Data.

Cognizant will provide such notice to individuals in clear and conspicuous language when individuals are first asked to provide Personal Data to Cognizant, or as soon as practicable thereafter. In any event, Cognizant will provide notice before it uses Personal Data for a purpose other than that for which it was originally collected.

Where Cognizant acts as a Data Processor in respect of Personal Data received from entities in the EEA and Switzerland, it will only use that Personal Data in accordance with the transferring entity’s instructions including the notices provided to the individuals to whom that Personal Data relates.

**Choice**

Where Cognizant collects Personal Data directly from individuals in the EEA or Switzerland, it will provide individuals with the opportunity to opt-out of any disclosure of their Personal Data to any non-Agent or the use of their Personal Data for a purpose other than the purpose for which it was originally collected or subsequently authorised by the individual. Cognizant will provide individuals with clear and conspicuous methods to exercise their choices.

Unless otherwise permitted under the safe harbor program, Cognizant will not disclose Sensitive Personal Data to a non-Agent or use Sensitive Personal Data for a purpose other than the purpose for which it was originally collected or subsequently authorised by the individual, unless it has received the individual’s explicit (opt-in) consent.

Where Cognizant acts as a Data Processor in respect of Personal Data received from entities in the EEA and Switzerland, it will only use that Personal Data in accordance with the transferring entity’s instructions including the choices made by the individuals to whom that Personal Data relates.
Onward transfer

Cognizant will obtain assurances from its Agents that they will safeguard Personal Data in accordance with this safe harbor policy. Appropriate assurances include:

- a contract between Cognizant and the Agent that requires the Agent to provide at least the same level of protection as is required by the safe harbor principles;
- The Agent being subject to the Data Protection Directive;
- the Agent being established in a country that is subject to a finding of adequacy by the European Commission under Article 25(6) of Data Protection Directive; or
- Safe harbour certification of the Agent.

Where Cognizant acts as a Data Processor in respect of Personal Data received from entities in the EEA and Switzerland, it will not transfer such Personal Data to any Agent without the transferring entity’s prior consent.

Data integrity

Cognizant will use Personal Data only for the purpose for which it was first collected or subsequently authorised by the individual or for other compatible purposes.

Where Cognizant is a Data Controller of Personal Data received from the EEA and Switzerland, it will take reasonable steps to ensure that such Personal Data is reliable for its intended use, accurate, complete and current.

Where Cognizant acts as a Data Processor in respect of Personal Data received from entities in the EEA and Switzerland, those entities are responsible and best suited for implementing data integrity measures. However, Cognizant will co-operate with the transferring entity to ensure that the data integrity principle is respected.

Access

Upon request, Cognizant will provide individuals with reasonable access to the Personal Data that it holds about them, except where the burden or expense of providing access would be disproportionate to the risks to the individual's privacy in the case in question, or where the rights of persons other than the individual would be violated.

Where Cognizant is a Data Controller of Personal Data received from the EEA and Switzerland, it will take reasonable steps to permit individuals to correct, amend or delete Personal Data related to them that is inaccurate or incomplete.
Where Cognizant acts as a Data Processor in respect of Personal Data received from entities in the EEA and Switzerland, it will provide individuals with access to their Personal Data and correct, amend or delete Personal Data only upon and in accordance with the transferring entity’s instructions.

Security

Cognizant will take reasonable precautions to protect the Personal Data it collects, maintains, uses or disseminates from loss, misuse and unauthorised access, disclosure, alteration and destruction.

Enforcement

Cognizant uses a self-assessment approach to assure compliance with this safe harbor policy. Cognizant periodically conducts audits of its relevant privacy practices to verify such compliance.

Any concerns or complaints regarding Cognizant’s use or disclosure of Personal Data should be addressed to Cognizant’s compliance helpline at: https://www.compliancehelpline.com/welcomepagecognizant.com.

Cognizant will investigate and attempt to resolve any complaints or disputes regarding the use and disclosure of Personal Data received from the EEA and Switzerland in accordance with the provisions of this safe harbor policy.

For complaints and disputes that cannot be resolved between Cognizant and the complainant, Cognizant has agreed to participate in the dispute resolution procedures of the panel established by the EU data protection authorities (DPAs) to resolve disputes pursuant to the Safe Harbour Privacy Principles, as well as to cooperate and comply with the Federal Data Protection and Information Commissioner of Switzerland. The panel may be contacted at ec-dpanel-secr@ec.europa.eu and the EU DPAs may be contacted directly via the information provided at http://ec.europa.eu/justice/data-protection/bodies/authorities/eu/index_en.htm. The contact information for the Swiss FDPIC can be found at http://www.edoeb.admin.ch/kontakt/index.html?lang=en.

Limitation on application of principles

Adherence by Cognizant to the safe harbor principles set out in this policy may be limited to the extent required to meet national security, public interest or law enforcement obligations.

Mergers and acquisitions

Personal Data that Cognizant has collected or stored may be transferred to a future purchaser of Cognizant’s companies and/or its assets.

Questions
Questions or comments regarding this safe harbor policy should be submitted to Cognizant’s compliance helpline at https://www.compliancehelpline.com/welcomepagecognizant.com.

Changes to this policy

Cognizant will post any changes made to this safe harbor policy on this website.

Last updated: 12 June 2014